	F THE STATE OF WASHINGTON ESION I
In re Personal Restraint Petition of) 81045-1) No. 60520-8-1
ANTHONY BRADLEY, Petitioner.) STATE'S RESPONSE TO) PERSONAL RESTRAINT) PETITION)

A. AUTHORITY FOR RESTRAINT OF PETITIONER.

Anthony Bradley is restrained pursuant to judgment and sentence in King County Superior Court No. 02-C-04718-8 SEA and 02-1-07413-4 SEA. Appendix A and C.

B. <u>ISSUES PRESENTED.</u>

Whether this petition should be granted in part and dismissed in part where his judgment and sentence in Cause No. 02-C-04718-8 SEA is incorrect and where the judgment and sentence in Cause No. 02-1-07413-4 SEA is correct.

C. STATEMENT OF THE CASE.

Cause No. 02-C-04718-8 SEA.

Anthony Bradley pled guilty to the crime of possession of cocaine on September 26, 2002. Appendix B. The crime occurred on May 31, 2002. Appendix B. Pursuant to the plea agreement, Bradley agreed to the prosecutor's statement of his criminal history, and that his standard range was 33-43 months based on an offender score of eight. Appendix B. Bradley received a Drug Offender Sentencing Alternative (DOSA) consisting of 19 months of confinement and 19 months of community custody to be served concurrently with Cause No. 02-1-07413-4 SEA. Appendix A. The judgment and sentence was filed with the clerk of the trial court on October 17, 2002. Appendix A. Bradley did not appeal.

Cause No. 02-1-07413-4 SEA.

Bradley pled guilty to the crime of possession of cocaine with intent to deliver on September 26, 2002. Appendix D. The crime occurred on August 16, 2002. Appendix C. Pursuant to the plea agreement, Bradley agreed to the prosecutor's statement of his criminal history, and that his standard range was 87-116 months based on an offender score of nine. Appendix D. Bradley received a Drug Offender Sentencing Alternative (DOSA) consisting of 50.75

months of confinement and 50.75 months of community custody to be served concurrently with Cause No. 02-C-04718-8 SEA.

Appendix A. The judgment and sentence was filed with the clerk of the trial court on October 17, 2002. Appendix A. Bradley did not appeal. A prior personal restraint petition, No. 53154-9-I, challenging the calculation of his offender score was dismissed on May 18, 2004. Appendix E.

D. ARGUMENT.

1. IN CAUSE NO. 02-C-04718-8 SEA BRADLEY WAS SENTENCED WITH AN INCORRECT OFFENDER SCORE AND STANDARD RANGE.

Bradley contends that his sentence is invalid because his offender score was incorrectly calculated. He appears to be correct.

An appellate court will grant substantive review of a personal restraint petition only when the petitioner makes a threshold showing of constitutional error from which he has suffered actual prejudice or nonconstitutional error which constitutes a fundamental defect that inherently resulted in a complete miscarriage of justice.

In re Cook, 114 Wn. 2d 802, 813, 792 P.2d 506 (1990). A miscalculated offender score constitutes a fundamental defect that

inherently results in a complete miscarriage of justice. <u>In re Johnson</u>, 131 Wn.2d 558, 933 P.2d 1019 (1997). However, the petitioner bears the burden of showing that his offender score was incorrect. <u>In re Connick</u>, 144 Wn.2d 442, 28 P.3d 729 (2001).

No petition collaterally attacking a judgment and sentence may be filed more than one year after the judgment becomes final, if the judgment and sentence is valid on its face and was rendered by a court of competent jurisdiction. RCW 10.73.090(1); see In re Runyan, 121 Wn.2d 432, 444, 449, 853 P.2d 424 (1993). A judgment becomes final on the date that it is filed with the clerk of the trial court if no appeal is filed. RCW 10.73.090(3).

The judgment in this case became final on October 17, 2002, when it was filed with the clerk of the trial court. Appendix A and C. This petition was filed more than four years later.

However, the one-year time limit only applies if the judgment and sentence is "valid on its face." RCW 10.73.090(1). A judgment is valid on its face unless the judgment evidences an error without further elaboration. In re Thompson, 141 Wn.2d 712, 10 P.3d 380 (2000). Facial invalidity has been interpreted to include those documents signed as part of a plea agreement as well as the judgment and sentence itself. State v. Robinson, 104 Wn. App.

657, 17 P.3d 653 (2001). The documents of the plea can inform the inquiry as to whether the judgment and sentence is invalid on its face. State v. Hemenway, 147 Wn.2d 529, 55 P.3d 615 (2002).

In <u>State v. Smith</u>, 144 Wn.2d 665, 30 P.2d 1245 (2001), the supreme court held that juvenile adjudications that "washed out" prior to the 1997 amendment of RCW 9.94A.360 cannot be revived for purposes of calculating a defendant's offender score. Prior to 1997, juvenile adjudications for offenses not classified as sex offenses or serious violent offenses were not counted if the offender was less than 15 years old at the time the offense was committed. In addition, class B and C felonies that occurred when the defendant was 15 years or older "washed out" when the defendant reached the age of 23. Former RCW 9.94A.360(4).

In 1997, RCW 9.94A.360 was amended to provide that juvenile adjudications are counted in the offender score in the same manner and subject to the same wash-out rules as adult convictions. Nonetheless, the supreme court held that the 1997 amendments did not "revive" previously "washed out" juvenile adjudications. Smith, 144 Wn.2d at 670-71. The court's holding was predicated on its view that neither the 1997 amendment, or an

additional 2000 amendment, were intended to be applied "retroactively." <u>Smith</u>, 144 Wn.2d at 665.

In 2002, the legislature enacted RCW 9.94A.525, which again applied the same "wash-out" principles to both adult conviction and juvenile adjudications. RCW 9.94A.525(2). Howeover, unlike the previous amendments, the supreme court held that the 2002 amendments allow for the inclusion of juvenile offenses in the offender score for crimes committed after June 13, 2002. State v. Varga, 151 Wn.2d 179, 86 P.3d 139 (2004).

Because Bradley's crime occurred on May 31, 2002, the reasoning of <u>Smith</u> applies. Thus, all of Bradley's juvenile offenses "washed out" for purposes of this conviction on his 23rd birthday, on September 16, 1997. Only his prior adult convictions should have been included in his offender score.

The crime of possession of cocaine is not a "drug offense" as defined by RCW 9.94.030(20). As such, RCW 9.94A.525(7) applies and provides that all adult prior felony convictions count one point. Additionally, pursuant to RCW 9.94A.525(1) and RCW 9.94A.589(1)(a) convictions entered or sentenced on the same date are included in the offender score as current offenses. Thus, Bradley's offender score should have been calculated as follows:

Other current offense:		
2002 Possession with intent	60-100 6-1-1-8	1 point
Prior convictions:		
1992 Delivery of Cocaine	=	1 point
1993 Possession of Cocaine	=	1 point
1993 Attempting to Elude	=	1 point
1994 Possession of Cocaine	=	1 point
1994 Possession of Cocaine	=	1 point
1997 Delivery of Cocaine	=	1 point
Total poin	ts =	7 points

Bradley should have been sentenced with an offender score of seven, rather than eight. He should have been advised that his offender score was 22 to 29 months rather than 33 to 43 months.

2. IN CAUSE NO. 02-1-07413-4 SEA BRADLEY WAS SENTENCED WITH A CORRECT OFFENDER SCORE AND STANDARD RANGE.

Bradley also contends that his offender score in Cause No. 02-1-07413-4 SEA was incorrectly calculated. He is mistaken.

The crime at issue in this cause number was committed on August 16, 2002, after the 2002 amendment to the scoring rules went into effect. Thus, Bradley's juvenile adjudications were properly included in his offender score.

The crime of possession with intent to deliver cocaine is a drug offense as defined by RCW 9.94A.030(20). RCW 9.94A.525(7) governs calculation of Bradley's offender score

because he has no prior convictions for sex or serious violent offenses. RCW 9.94A.525(12). RCW 9.94A.525(7) provides that all adult prior felony convictions count one point, prior juvenile violent adjudications count one point, and prior juvenile non-violent adjudications count one-half point. Thus, Bradley's offender score is as follows:

Other current offense:		
2002 Possession of Cocaine	=	1 point
	•	
Prior adult convictions:		
1992 Delivery of Cocaine	=	1 point
1993 Possession of Cocaine	=	1 point
1993 Attempting to Elude	=	1 point
1994 Possession of Cocaine	=	1 point
1994 Possession of Cocaine	=	1 point
1997 Delivery of Cocaine	_ =	1 point
Prior juvenile adjudications:		•
1988 Delivery	=	½ point
1989 Possession	=	½ point
1989 Deliver	=	½ point
1989 Possession	=	½ point
1991 Possession With Intent	=	½ point
Total points	s`= .	9 ½ points

Rounded down to the nearest whole number as provided by RCW 9.94A.525, Bradley's offender score was properly calculated to be nine, and his standard range was properly calculated to be 87 to 116 months. The judgment and sentence in Cause No. 02-1-

07413-4 SEA is valid on its face, and Bradley's challenge to that judgment should be dismissed as untimely.

It should also be dismissed as successive. RCW 10.73.140 bars the Court of Appeals from considering a collateral attack when the petitioner has previously filed a personal restraint petition unless the petitioner shows good cause why the ground currently asserted was not raised earlier. This statutory bar includes all collateral attacks, including habeas corpus petitions. In re Becker, 143 Wn.2d 491, 496, 20 P.3d 409 (2001). Moreover, RAP 16.4(d) provides, in part, that "[n]o more than one petition for similar relief on behalf of the same petitioner will be entertained without good cause shown." This prohibition applies to both this Court and the supreme court. In In re Haverty. 101 Wn.2d 498, 503, 681 P.2d 835 (1984), the supreme court held that the phrase "similar relief" used in RAP 16.4 means a renewal of "grounds previously heard and determined." Bradley already challenged the calculation of his offender score in a previous personal restraint petition. Appendix E. Consideration of this petition is barred by RCW 10.73.140 and RAP 16.4(d).

3. BRADLEY HAS FAILED TO ESTABLISH THAT WITHDRAWAL OF HIS PLEAS IS NECESSARY TO CORRECT A MANIFEST INJUSTICE.

Bradley contends that due to the error in the offender score in Cause No. 02-C-04718-8 SEA he should be allowed to withdraw his pleas. However, because he was not prejudiced by this error, withdrawal of the pleas should not be allowed.

The constitution requires that a plea of guilty be voluntary. State v. Barton, 93 Wn.2d 301, 304, 609 P.2d 1353 (1980). CrR 4.2 provides additional safeguards. Barton, 93 Wn.2d at 304. That rule requires that a defendant be informed of all direct consequences of the plea. Id. at 305. A direct consequence of a plea is a consequence that "represents a definite, immediate and largely automatic effect on the range of the defendant's punishment." State v. Mendoza, 157 Wn.2d 582, 588, 141 P.3d 49 (2006) (quoting Barton, 93 Wn.2d at 305).

CrR 4.2(f) provides that courts should allow a defendant to withdraw a guilty plea when withdrawal is necessary to correct a manifest injustice. Barton, 93 Wn.2d at 306. The failure to advise a defendant of the direct consequences of the plea constitutes a manifest injustice. Id. Thus, generally speaking, a defendant may move to withdraw his plea of guilty if he is misadvised as to the

standard range regardless of whether the correct range is higher or lower than anticipated. Mendoza, 157 Wn.2d at 591. However, in the unique circumstances presented here, the standard range as to possession of cocaine was not a direct consequence of Bradley's plea.

The pleas to possession and possession with intent to deliver were entered on the same date and the two cases were sentenced on the same date. The parties agreed that the time served on both cause numbers would be served concurrently, as mandated by RCW 9.94A.589(1). Because Bradley's sentence on the possession charge was to be served concurrently with his sentence on the possession with intent charge, for which the standard range was 87 to 116 months, the difference between a standard range of 22 to 29 months or 33 to 43 months did not have a definite, immediate or automatic effect on the range of Bradley's total punishment: he is serving 87 months total incarceration either way.

This case is analogous to <u>State v. Oseguerra-Acevedo</u>, 137 Wn.2d 179, 970 P.2d 299 (1999). In that case, the defendant was

¹ RCW 9.94A.589(1) provides that sentences for two or more current offenses "shall be served concurrently."

not informed during the plea process that he would be required to serve one year of community placement. Id. at 185. While the supreme court had previously held that community placement was a direct consequence of a plea, a plurality of the court held that in Oseguerra-Acevedo's case, community placement was not a direct consequence of his plea because he was facing deportation immediately upon release. Id. at 198. Justice Johnson concurred in the result, but dissented from the plurality's conclusion that community placement was not a direct consequence because deporation was not a certainty. Id. at 204 (Johnson J., concurring). Justice Alexander dissented, but stated that he would have agreed with the majority if deportation was a "certainty." Id. at 207 (Alexander, J., dissenting). In contrast, in the present case, it was a certainty that Bradley would receive a concurrent sentence of at least 87 months total confinement, or a DOSA consisting of 50.75 months of confinement and 50.75 months of community custody, as to possession of cocaine with intent to deliver. Thus, his much lower standard range on the possession charge was not a consequence with a definite, immediate and automatic effect on Bradley's total punishment. It was not a direct consequence of the plea. The misadvisement as to the standard range in Cause No.

02-C-04718-8 SEA did not render the pleas involuntary. Bradley has failed to establish that withdrawal of the pleas is necessary to correct a manifest injustice.

E. <u>CONCLUSION.</u>

This petition should be granted in part only, and the matter remanded to correct the judgment and sentence in King County Cause No. 02-C-04718-8 so that it reflects the correct offender score, standard range and sentence. As to King County Cause No. 02-1-07413-3 SEA, the petition should be dismissed.

DATED this $\underline{60}$ day of November, 2007.

Respectfully Submitted,

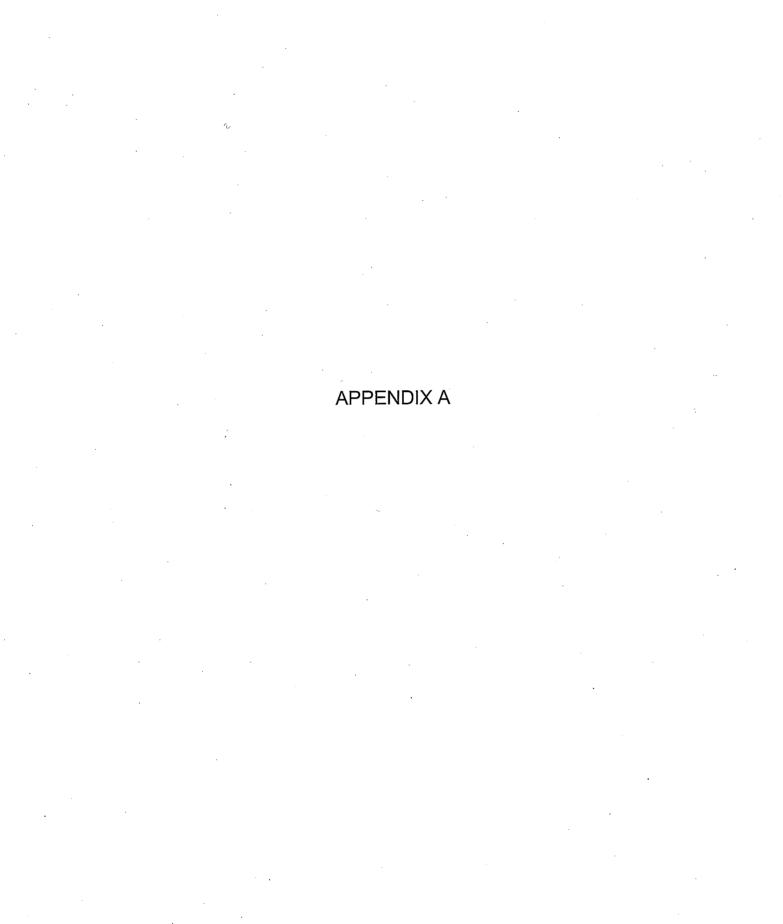
NORM MALENG King County Prosecuting Attorney

DAN SATTERBERG Interim King County Prosecuting Attorney

ANN SUMMERS, #21509 Senior Deputy Prosecuting Attorney Attorneys for Respondent

Office ID #91002

W554 King County Courthouse 516 Third Avenue Seattle, WA 98104 (206) 296-9650



.02 OCT 17 AM 10: 00

KING COUNTY SUPERIOR COURT CLERK SEATTLE, WA.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)
Plaintiff,	No. 02 (047/88SeA
Vs.) JUDGMENT AND SENTENCE) FELONY
anthony bradley)))
Defendant,	
I.1 The defendant, the defendant's lawyer,	HEARING Julie H. Causford That Hearing and the deputy prosecuting attorney were there present were:
II.	FINDINGS
II. There being no reason why judgment should not be properly a CURRENT OFFENSE(S): The defendant was for the state of th	ronounced, the court finds:
There being no reason why judgment should not be portable 2.1 CURRENT OFFENSE(S): The defendant was f	ronounced, the court finds: found guilty on Sept 26 02 by PIEA of:
There being no reason why judgment should not be portable. 2.1 CURRENT OFFENSE(S): The defendant was for the count No.: Coun	ronounced, the court finds: found guilty on Sept 26 '02 by plea of:
There being no reason why judgment should not be portable. 2.1 CURRENT OFFENSE(S): The defendant was for the count No.: Coun	ronounced, the court finds:
There being no reason why judgment should not be programmed and the pr	ronounced, the court finds: found guilty on Sept 26 '02' by plea of: Crime Code: Incident No. 02-368236
There being no reason why judgment should not be proceed to the process of the defendant was for the count No.: Count No.: Crime: VUCSA RCW 69,50.401(a)(U(i)) Date of Crime: May 14 2002	ronounced, the court finds: found guilty on Sept 26 '02 by plea of: - poss. (scaine Crime Code: Incident No. 02-368236
There being no reason why judgment should not be programmed to the programmed from the	ronounced, the court finds: found guilty on Sept 26 '02 by plea of: - Poss. (acaine Crime Code: Incident No. 02-368236
There being no reason why judgment should not be preceded to the process of the defendant was formed by the count No.: There being no reason why judgment should not be preceded by the process of the	ronounced, the court finds: found guilty on Sept 26 '02 by plea of: - Poss. (acaine Crime Code: Incident No. Crime Code: Incident No.
There being no reason why judgment should not be progressive. Count No.: Count No.: Crime: VUCSA Count No.: May 14 2002 Count No.: Crime: Crime: Count No.: Crime: Crime: Count No.: Crime: Count No.: Crime: Count No.: Crime: Crime:	ronounced, the court finds: found guilty on Sept 26 '02 by plea of: - Poss. (acaine Crime Code: Incident No. 02-368236
There being no reason why judgment should not be preceded to the process of the defendant was formed by the count No.: There being no reason why judgment should not be preceded by the process of the	ronounced, the court finds: found guilty on Sept 26 '02 by plea of: - Poss. (acaine Crime Code: Incident No. 02-368236
There being no reason why judgment should not be pour 2.1 CURRENT OFFENSE(S): The defendant was for the count No.: Count No.: Crime: VUCS FOR WOLLOW G9, 50, 401 (a) CU(i) Date of Crime: Count No.: Crime: RCW Date of Crime: Count No.: Crime: Count No.: Crime: RCW Date of Crime:	ronounced, the court finds: found guilty on Sept 26 '02 by plea of: A - Poss. (scaine Crime Code: Incident No. 02-36823(p Crime Code: Incident No. Crime Code: Incident No.
There being no reason why judgment should not be proceed to the process of the defendant was formed by the count No.:	ronounced, the court finds: found guilty on Sept 26 '02 by plea of: A - Poss. Cagine Crime Code: Incident No. Crime Code: Incident No. Crime Code: Incident No.

SPECIAL VE	KDIC1 of F	пирпие(2):			•	•
(b) [] While (c) [] With a (d) [] A V.U (e) [] Vehic (f) [] Vehic RCW (g) [] Non-p (h) [] Dome	armed with a sexual motion of the sexual motion. J.C.S.A offer ular homicide of the sexual with the sexual sexual representation of the sexual representation of	deadly weapo vation in count nse committed it le []Violent tr de by DUI with). lapping or unla- offense as defin	n other than a fir (s) in a protected zo affic offense [prior c wful imprisonme and in RCW 10.9	ne in count(s) [DUI [] Reckle on viction(s) for order twith a minor view. 9.020 for count(s)	RCW 9.94A.127. RCW 6 less []Disregard. Effense(s) defined in 1 lictim. RCW 9A.44.1	
7.5 121.100	(1)(4)-	•	•			
			(S): Other curren fense and cause		d under different ca	use numbers used
		•		• .	•	
offender score [] Criminal h [] Prior conv. [] One point	are (RCW 9.1 istory is attactions counter added for off	94A.360): thed in Appendict as one offens ense(s) committ	ix B. e in determining	_	for purposes of calculations (RCW 9.94A.360() cent for count(s)	
2.4 SENTEN					Lm . 10.	132
Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Count	8	Level	33-43 m.	Emancement	33-43 mo	1
Count	0	<u> </u>	22-12 We	<u> </u>	22-12 We	550 619,00
Count						
Count						
[] Additional 2.5 EXCI [] Substantial Count(s)	EPTIONAL l and compell	SENTENCE: ling reasons exis	Fi	sentence above/b	elow the standard ra i Conclusions of Lav	
	•			•	•	
					•	
•		,	ni. Judg	MENT		
IT IS ADJUDO			•	•	Section 2.1 above an	nd Appendix A.

IV. ORDER

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

4.1	RESTITUTION AND VICTIM ASSESSMENT: [] Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E. [] Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.142(2), sets forth those circumstances in attached Appendix E. [] Restitution to be determined at future restitution hearing on (Date)atm. [] Date to be set. [] Defendant waives presence at future restitution hearing(s). Defendant shall pay Victim Penalty Assessment pursuant to RCW 7.68.035 in the amount of \$500.
4.2	OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this Court:
	(a) [] \$, Court costs; [] Court costs are waived; (RCW 9.94A.030, 10.01.160)
	(b) [] \$, Recoupment for attorney's fees to King County Public Defense Programs; [] Recoupment is waived (RCW 9.94A.030);
	(c) [] \$, Fine; []\$1,000, Fine for VUCSA; []\$2,000, Fine for subsequent VUCSA; []VUCSA fine waived (RCW 69.50.430);
	(d) [] \$, King County Interlocal Drug Fund; [] Drug Fund payment is waived; (RCW 9.94A.030)
	(e) [] \$, State Crime Laboratory Fee; [] Laboratory fee waived (RCW 43.43.690);
-	(f) [] \$, Incarceration costs; [] Incarceration costs waived (RCW 9.94A.145(2));
•	(g) [] \$, Other costs for:
4.3	PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 560. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: []Not less than \$ per month; [] On a schedule established by the defendant's Community Corrections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090. The Defendant shall remain under the Court's jurisdiction and the supervision of the Department of Corrections for up to ten years from the date of sentence or release from confinement to assure payment of financial obligations.

		f. 7-1-01] that the defendant and the community will entence within the standard range and sentences the
(a))(b): The defendant is sentenced to the following term(s) CORRECTIONS to commence [] immediately [] not atP.M.
	months on Count No.	months on Count No.
	months on Count No.	months on Count No.
	months on Count No.	; months on Count No
(b)	The above term(s) of confinement represent o	ne half of the midpoint of the standard range.
(c)	The terms imposed herein shall be served concur	rently.
	The term(s) imposed herein shall run concurrent/	Jonsecutive with cause No(s) 62 1014134
	The term(s) imposed herein shall run consecutive in this judgment.	ely to any previously imposed commitment not referred to
(d)		prior to sentencing if that confinement was solely under e compiled by the JAIL unless specifically set by the
(e)		ons the defendant shall undergo a comprehensive vailable resources, appropriate treatment services.
CO mid con defe	substance abuse assessment and receive, within a MMUNITY CUSTODY: The court further imposint(s) of the standard range(s), as a term of comply with the instructions, rules and regulations pro	ons the defendant shall undergo a comprehensive vailable resources, appropriate treatment services. Sees months, the remainder(s) of the amunity custody during which time the defendant shall omulgated by the Department for conduct of the ffirmative acts necessary to monitor compliance, shall
CO mid con defe	substance abuse assessment and receive, within a MMUNITY CUSTODY: The court further important and regulations properties of the standard range(s), as a term of comply with the instructions, rules and regulations propendant during community custody; shall perform a yall laws and comply with the following mandato. The defendant shall not own, use or possess any The defendant shall not use illegal controlled substantial.	ons the defendant shall undergo a comprehensive vailable resources, appropriate treatment services. Sees months, the remainder(s) of the amunity custody during which time the defendant shall comulgated by the Department for conduct of the ffirmative acts necessary to monitor compliance, shall are statutory requirements: firearm or ammunition. RCW 9.94A.120(16). Separates and shall submit to urinalysis or other testing to
CO mid con defe obe	substance abuse assessment and receive, within a MMUNITY CUSTODY: The court further important and regulations properties of the standard range(s), as a term of comply with the instructions, rules and regulations propendant during community custody; shall perform a yall laws and comply with the following mandato. The defendant shall not own, use or possess any The defendant shall not use illegal controlled submonitor compliance. RCW 9.94A.120.(6)(b)(ii),	ons the defendant shall undergo a comprehensive vailable resources, appropriate treatment services. Description of the munity custody during which time the defendant shall omulgated by the Department for conduct of the ffirmative acts necessary to monitor compliance, shall ry statutory requirements: In firearm or ammunition. RCW 9.94A.120(16). Destances and shall submit to urinalysis or other testing to and (iii) The conduct of the firearm or ammunition approved by D.S.H.S.,
con defe obe (1) (2) (3)	MMUNITY CUSTODY: The court further important for the instructions, rules and regulations properly with the following mandatory all laws and comply with the following mandatory. The defendant shall not own, use or possess any The defendant shall not use illegal controlled submonitor compliance. RCW 9.94A.120.(6)(b)(ii), The defendant shall complete appropriate substant Division of Alcohol and Substance Abuse. RCW	ons the defendant shall undergo a comprehensive vailable resources, appropriate treatment services. Description of the munity custody during which time the defendant shall omulgated by the Department for conduct of the ffirmative acts necessary to monitor compliance, shall ry statutory requirements: In firearm or ammunition. RCW 9.94A.120(16). Destances and shall submit to urinalysis or other testing to and (iii) The conduct of the firearm or ammunition approved by D.S.H.S.,
con defe obe (1) (2) (3)	MMUNITY CUSTODY: The court further important for the instructions, rules and regulations properly with the following mandatory all laws and comply with the following mandatory. The defendant shall not own, use or possess any The defendant shall not use illegal controlled submonitor compliance. RCW 9.94A.120.(6)(b)(ii), The defendant shall complete appropriate substant Division of Alcohol and Substance Abuse. RCW court further imposes the following non-mandatory. [X] The defendant shall not use any alcohol or court further imposes the following non-mandatory.	ons the defendant shall undergo a comprehensive vailable resources, appropriate treatment services. Description of the mounty custody during which time the defendant shall omulgated by the Department for conduct of the ffirmative acts necessary to monitor compliance, shall ry statutory requirements: firearm or ammunition. RCW 9.94A.120(16). Destances and shall submit to urinalysis or other testing to and (iii) The cabuse treatment in a program approved by D.S.H.S., 19.94A.120(6)(b)(i)
CO mid com defe obe (1) (2) (3)	MMUNITY CUSTODY: The court further importance abuse assessment and receive, within a MMUNITY CUSTODY: The court further importance and the standard range(s), as a term of comply with the instructions, rules and regulations proceed and during community custody; shall perform a yall laws and comply with the following mandato. The defendant shall not own, use or possess any The defendant shall not use illegal controlled submonitor compliance. RCW 9.94A.120.(6)(b)(ii), The defendant shall complete appropriate substantiation of Alcohol and Substance Abuse. RCW court further imposes the following non-mandator [X] The defendant shall not use any alcohol or coundergo testing to monitor compliance. [] Devote time to a specific employment or training the standard and substance and substance.	ons the defendant shall undergo a comprehensive vailable resources, appropriate treatment services. Sees

	(11) Other conditions as set forth in Appendix F
4.6	NON-COMPLIANCE RCW 9.94A.120(6)(c)(e): If the defendant fails to complete the Department's special drug offender sentencing alternative program or is administratively terminated from the program, he/she shall be reclassified by the Department to serve the balance of the unexpired term of sentence. If the defendant fails to comply with the conditions of supervision as defined by the Department, he/she shall be sanctioned. Sanctions may include reclassification by the Department to serve the balance of the unexpired term of sentence.
	For offenses committed after 7-1-2000 the court further imposes the following additional terms of Community Custody upon failure to complete or administrative termination from D.O.S.A. program: the entire period of earned early release or for any "crime against person" in section 2.1 herein 9 - 18 months; for any violation of 69.50/52 in section 2.1 herein 9 - 12 months whichever is longer. The defendant in this event shall comply with the conditions of Community Custody set forth in section 4.5 herein.
4.7	[] BLOOD TESTING (Prostitution offense or drug offense associated with the use of hypodermic needles): Appendix G, covering blood testing and counseling, is attached and incorporated by reference into this Judgment and Sentence.
4.8 4.9	[] OFF-LIMITS ORDER: The defendant, having been found to be a known drug trafficker, shall neither enter nor remain in the protected against drug trafficking area(s) as described in Appendix I during the term of community supervision. Appendix I is attached and incorporated by reference into this Judgment and Sentence. [] NO CONTACT: For the maximum term of
Date:	10.16.02 JUDGE Print Name: Rollen
Date:	JUDGE D C

BEST AVAILABLE IMAGE POSSIBLE

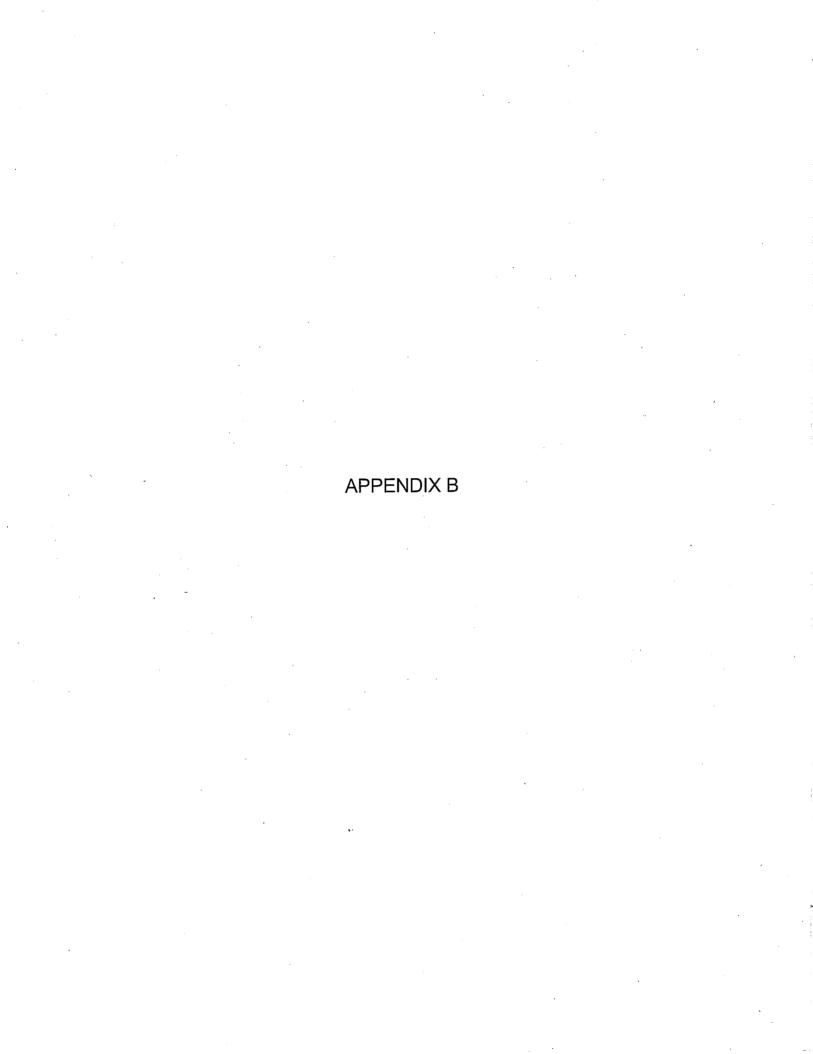


RIGHT HAND FINGERPRINTS OF:	DEFENDANT'S SIGNATURE: THE DEFENDANT'S ADDRESS
JUDGE, KING COUNTY SUPERIOR COURT	ATTESTED BY: PAUL L. SHERFEY7SUPERIOR COURT CLERK BY: DEPUTY CLERK
CERTIFICATE	OFFENDER IDENTIFICATION
I,	S.I.D. NO.
CLERK OF THIS COURT, CERTIFY THAT THE ABOVE IS A TRUE COPY OF THE JUDGMENT AND SENTENCE IN THIS	DATE OF BIRTH:
ACTION ON RECORD IN MY OFFICE.	SEX:
DATED:	RACE:
CLERK	· .

PAGE -FINGERPRINTS 4-25-01

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
) Plaintiff,)	NO. 026.47/88 SEA
anthing bradleg Defendant.	JUDGMENT AND SENTENCE (FELONY) — APPENDIX F, ADDITIONAL CONDITIONS OF SENTENCE
Additional conditions of sentence are:	
Detendant mus.	
DosA + Yeatn	nent recs
1	·
	<u> </u>
	•
Date: October 11e, 2002	Judge, King County Superior Court
	0 (
APPENDIXF	(ro) lm.



FILED

02 SEP 27 PM 2: 48

KING COUNTY
SUFERIOR COURT CLERK
SEATTLE, WA.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

SUPERIOR COURT OF WASHINGT	ION FOR ALING COUNT I
STATE OF WASHINGTON,	ORIGINAL
Plaintiff,	No. 02 C 04718 8 504.
Vs. ANTHONY L. GRADIWY Defendant,)) STATEMENT OF DEFENDANT ON) PLEA OF GUILTY (Felony))
1. My true name is AN DYWY C. A	Gradery.
2. My age is 28 Date of Birth	9/16/74
3. I went through thegr	ade and 1 years Houterno
4. I HAVE BEEN INFORMED AND FULLY U	NDERSTAND THAT:
(a) I have the right to representation by a lawyer	and that if I cannot afford to pay for a
lawyer, one will be provided at no expense to me. My la	awyer's name is Julis A. GAIHoup
(b) I am charged with the crime(s) of	
The elements of this crime(s) are INKING CO WA	ON 5/31/02 I
KNOWINGLY AND UNLAWFULLY POSSESS	sus COCHINIS, A
CONTROLLOND 1665ATA SUCTION	5.
FORM REV 7/12/00	(CILITIA)
STATEMENT OF DEFENDANT ON PLEA OF GUILT (Felony) - 1	ГҮ

(Felony) - 2

Maximum Term

and Fine

years

years

offense" as defined in that statute, I may be found a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4). The law does not allow any reduction of this sentence.

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions, whether in this state, in federal court, or elsewhere. If my current offense was prior to 7/1/97: criminal history always includes juvenile convictions for sex offenses and also for Class A felonies that were committed when I was 15 years of age or older; may include convictions in Juvenile Court for felonies or serious traffic offenses that were committed when I was 15 years of age or older; and juvenile convictions, except those for sex offenses and Class A felonies, count only if I was less than 23 years old when I committed the crime to which I am now pleading guilty. If my current offense was a after 6/30/97: criminal history includes all prior adult and juvenile convictions or adjudications.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if I was on community placement at the time of the offense to which I am now pleading guilty, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendations may increase. Even so, my plea of guilty to this charge is binding on me. I FORM REV 7/12/00

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 3

cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase.

If the current offense to which I am pleading guilty is a most serious offense as defined by RCW 9.94A.030(23),(27), and additional criminal history is discovered, not only do the conditions of the prior paragraph apply, but also if my discovered criminal history contains two prior convictions, whether in this state, in federal court, or elsewhere, of most serious offense crimes, I may be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4).

Even so, my plea of guilty to this charge may be binding on me. I cannot change my plea if additional criminal history is discovered, even though it will result in the mandatory sentence that the law does not allow to be reduced.

- (e) In addition to sentencing me to confinement for the standard range, the judge will order me to pay \$500 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damages to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The judge may also order that I pay a fine, court costs, incarceration, lab and attorney fees. Furthermore, the judge may place me on community supervision, community placement or community custody, impose restrictions on my activities, rehabilitative programs, treatment requirements, or other conditions, and order me to perform community service.
 - (f) The prosecuting attorney will make the following recommendation to the judge: _

43	CON CUMMUNO TO	02-c-07413-4 Sch	, Drux Fund,
	REV 7/12/00	MANN FING 182000 COSTS, FEED, DWAT CAN NOTO	INCONEUMOSIM USST DOSA

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 4

1			
2			
3	☐ See attached Plea Agreement and State's Sentence Recommendation.		
4	(g) The judge does not have to follow anyone's recommendation as to sentence. The judge		
·5	must impose a sentence within the standard range unless the judge finds substantial and compelling		
6	reasons not to do so. If the judge goes outside the standard range, either I or the State can appeal		
7	that sentence. If the sentence is within the standard range, no one can appeal the sentence.		
8	(h) The crime of has a mandatory minimum sentence		
9	of at least years of total confinement. The law does not allow any reduction of this		
10	sentence. [If not applicable, this paragraph should be stricken and initialed by the defendant and the		
11	judge A(2) ex.]		
12	The crime of is a most serious offense as defined by		
13	RCW 9.94A.030(23), and if the judge determines that I have at least two prior convictions on		
14	separate occasions whether in this state, in federal court, or elsewhere, of most serious crimes, I may		
15	be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must		
16	impose the mandatory sentence of life imprisonment without the possibility of early release of any		
17	kind, such as parole or community custody. RCW 9.94A.120(4). [If not applicable, this paragraph		
18	should be stricken and initialed by the defendant and the judge 1		
19	The crime of is also a "most serious offense" and a		
20	"sex offense" as defined in RCW 9.94A.039(23) and (27), and if the judge determines that I have		
21	one prior conviction whether in this state, in federal court or elsewhere of a most serious sex offense		
22	as defined in that statute, I may also be found to be a Persistent Offender in which case the judge FORM REV 7/12/00		
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 5		

1	must impose a mandatory sentence of life without the possibility of parole. RCW 9.94A.120(4). [If
2	not applicable, this paragraph should be stricken and initialed by the defendant and the judge
3	[34]
4	(i) The crime charged in Countincludes a firearm/deadly weapon sentence
5	enhancement of months.
6	This additional confinement time is mandatory and must be served consecutively to any
7	other sentence I have already received of will receive in this or any other cause. [If not applicable,
8	this paragraph should be stricken and initialed by the defendant and the judge]
9	(j) The sentences imposed on sounts, except for any weapons enhancement,
10	will run concurrently unless the judge finds substantial and compelling reason to do otherwise or
11	unless there is a special weapons finding. [If not applicable, this paragraph should be stricken and
12	initialed by the defendant and the judge] But
13	(k) In addition to confinement, the judge will sentence me to a period of community
14	supervision, community placement or community custody.
15	For crimes committed prior to July 1, 2000, the judge will sentence me to: (A) community
16	supervision for a period of up to one year; or (8) to community placement or community custody
17	for a period up to three years or up to the period of earned release awarded pursuant RCW
18	9.94A.150(1) and (2), whichever is longer. [If not applicable, this paragraph should be stricken and
19	initialed by the defendant and the judge] btk
20	For crimes committed on or after July 1, 2000, the judge will sentence me to the community
21	custody range which is from months to months or up to the period of earned
22	release awarded pursuant to RCW 9.94A.150(1) and (2), whichever is longer, unless the judge finds FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 6

1	substantial and compelling reasons to do otherwise. During the period of community custody I will
2	be under the supervision of the Department of Corrections, and I will have restrictions and
3	requirements placed upon me. My failure to comply with these conditions will result in the
4	Department of Corrections transferring me to a more restrictive confinement status or imposing
5	other sanctions. [If not applicable, this paragraph should be stricken and initialed by the defendant
6	and the judge]
7	(1) If this offense is a sex offense committed after 6/5/96 and I am either sentenced to the
8	custody of the Department of Corrections or if I am sentenced under the special sexual offender
9	sentence alternative, the court will, in addition to the confinement, impose not less than 3 years of
10	community custody which will commence upon my release from jail or prison. Failure to comply
11	with community custody may result in my return to confinement. In addition, the court may extend
12	the period of community custody in the interest of public safety for a period up to the maximum
13	term which is [If <u>not</u> applicable,
14	this paragraph should be stricken and initialed by the defendant and the judge
15	(m) The judge may sentence me as a first-time offender instead of imposing a sentence
16	within the standard range if I qualify under RCW 9.94A.030. This sentence may include as much as
17	90 days of confinement plus all of the conditions described in paragraph (e). In addition, I may be
18	sentenced up to two years of community supervision if the crime was committed prior to July 1,
19	2000, or two years of community custody if the crime was committed on or after July 1, 2000. The
20	judge also may require me to undergo treatment, to devote time to a specific occupation, and to
21	pursue a prescribed course of study or occupational training. [If not applicable, this paragraph
22	should be stricken and initialed by the defendant and the judge
	FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 7

(n) This plea of guilty will result in revocation of my privilege to drive under RCW 46.20.285 (1)-(3), (5)-(7). If I have a driver's license, I must now surrender it to the judge. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.

- (o) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.
- (p) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus. [If not applicable', this paragraph should be stricken and initialed by the defendant and the judge...]
- (q) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (r) If this crime involves a sex offense or a violent offense, I will be required to provide a sample of my blood for purposes of DNA identification analysis. [If not applicable', this paragraph should be stricken and initialed by the defendant and the judge...]
- (s) Because this stime involves a sex offense, I will be required to register with the sheriff of the county of the state of Washington where I reside. I must register immediately upon being sentenced unless I am in custody, in which case I must register within 24 hours of my release.

If I leave this state following my sentencing or release from custody but later move back to Washington, I must register within 30 days after moving to this state or within 24 hours after doing so if I am under the jurisdiction of this state's Department of Corrections.

FORM REV 7/12/00

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 8

1	11. The judge has asked me to state briefly in my own words what I did that makes me		
2	guilty of this (these) crime(s). This is my statement:		
3	IN KING CO WASHINGON W 5/31/02. "I KNOWING IT WAS COCAME, POSSUSSION		
5	AD COCOTO 5 MAN MARAMAMAN I		
6	KMEN CERMNT WAS A CONTRALIED		
7	ILLEVAL SUYSTANCE.		
8			
9			
10			
11			
12			
13			
14	12. My lawyer has explained to me, and we have fully discussed, all of the above		
15			
16	Plea of Guilty." I have no further questions to ask the judge.		
17	Gottony Jakly		
18	DEFENDANT		
19	I have read and discussed this stylement with the defendant and believe that the		
20	defendant is competent and fully understands the statement.		
21	understands the statement.		
22	PROSECUTING ATTORNEY DEFENDANT'S LAWYER		
	FORM REV 7/12/00 # 2019		
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 10		

1	The foregoing statement was signed by the defendant in defendant's lawyer and the undersigned judge. The defe	open court in the presence of the ndant asserted that [check appropriate box]:
2	[] (a) The defendant had previously read; or	
3	[] (b) The defendant's lawyer had previously read to his	m or her; or
4	[] (c) An interpreter had previously read to the defendate defendant understood it in full.	int the entire statement above and that the
5	I find the defendant's plea of guilty to be knowingly, into defendant understands the charges and the consequences	elligently and voluntarily made. The
6	plea. The defendant is guilty as charged.	
7	Dated this 26 day of Sept., 2002.	
8		Dansara Camo PROTEN
9		> 10DGE O '110 TEM
10	I am fluent in the language and	d I have translated this entire document for
	the defendant from English into that language. I certify	under penalty of perjury under the laws of
11	the State of Washington that the foregoing is true and co	rrect.
12	Dated this day of, 20	
13		
14	TRANSLATOR	INTERPRETER
15		
16	· .	
17		
18		
19		
20		
21		
22		
·	FORM REV 7/12/00	
	STATEMENT OF DEFENDANT ON PLEA OF GUILT (Felony) - 11	T Y
	•	

2			
3			
4			
5			
6	SUPERIOR COURT OF WASHINGTON FOR KING OOLD TO		
7	SUPERIOR COURT OF WASHINGTON FOR KING COUNTY		
8	STATE OF WASHINGTON,		
9	Plaintiff, No.OL-C-OMU-8 Som		
10	vs.) AMENDED INFORMATION		
11	Arrion Braces		
12	Defendant.))		
13	I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of		
14	the State of Washington, do accuse Array Season of the crime of Violation of the Uniform Controlled Substances, committed as follows:		
15	That the defendant Achtery Snaocey, in King County, Washington,		
16	on or about /during a time intervening 5/3/61, did unlawfully and feloniously possess, a controlled substance and a narcotic drug;		
17	Contrary to RCW 69.50.401(d), and against the peace and dignity of the State of		
18	Washington.		
19	NORM MALENG		
20	Prosecuting Attorney		
21	By:		
22	Deputy Prosecuting Attorney WSBA #91002		
23) (CX		

AMENDED INFORMATION - 1 vucsa - Revised 5-7-01

ŀ

Norm Maleng, Prosecuting Attorney W554 King County Courthouse 516 Third Avenue Scattle, Washington 98104 (206) 296-9000 FAX (206) 296-0955

٠3

4

5

6

7

8

9

10

11

13

14

15

16

17

18

19

20

21

22 23

25

26

27

CAUSE NO. 02-C-04718-8 SEA CAUSE NO. 02-C-04719-6 SEA

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause signed by the Seattle Police regarding incident number 02-208013.

REQUEST FOR BAIL

Initially, the Court set Bradley's bail in the amount of \$5,000. However, the State requests that bail be increased to the amount of \$20,000 based on the nature of the crime charged and the following criminal history: Violation of the Uniform Controlled Substances Act - Delivery (VUCSA) (91-1-01608-1, 97-1-00606-2); VUCSA - Possession (93-1-04345-3, 94-1-07524-8, 97-1-00617-8); Attempted VUCSA (01-1-10608-90); and Attempt to Elude (93-1-04407-7). At the time of filing, Court Services was unable to verify the defendant's residence and employment history. Since 1993, this Court has issued 48 warrants for the defendant.

WILLIAMS

BRADLEY

The State requests that Williams' bail be set in the amount of \$20,000 based on the nature of the crime charged and the following criminal history: VUCSA - Possession (92-1-05837-1, 00-1-10102-0); Forgery and Possessing Stolen Property (96-1-01616-7); Attempted VUCSA (96-1-05367-4); Theft 2° (98-1-06295-5); Theft 3° (1998, 1995, 1993); Prostitution (1995); and False Reporting (1995).

Alison M. Bogar, WSBA #30380

Prosecuting Attorney Case Summary and Request for Bail and/or Conditions of Release - 1 Norm Maleng Prosecuting Attorney W 554 King County Courthouse Seattle, Washington 98104-2312 (206) 296-9000

CA	1	19	F	N	\cap	
/	١.	o		18	_	



CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE - NARCOTICS

INCIDENT NUMBER	
02-208013	
UNIT FILE NUMBER	

That Police Officer R. Smith #5937 of the Seattle Police Department believes that there is probable cause that Anthony L. Bradley committed the crime(s) of Violation of the Uniformed Controlled Substances Act on May 14, 2002 at 2144 within the City of Seattle, County of King, State of Washington by possessing with intent to deliver/manufacture crack cocaine, a controlled substance.

This belief is predicated on the following facts and circumstances:

At about 2139, 5-14-2002 the West Precinct Anti-Crime Team (*WACT*) conducted a narcotics "SEE-POP" operation in the Belltown neighborhood. The area of 2nd Ave between Virginia St and Bell St. has been the source of numerous Narcotic Activity Reports (*NARS*), as well as a steady flow of 911 calls reporting rampant street drug activity. I was operating as an observation officer, utilizing 7x50 binoculars to enhance my vision. I have over eight years of police experience with the SPD. I have worked over 85 narcotics "buy-bust" operations while assigned to the *WACT*, as an undercover officer, arrest officer, and observation officer. I am very familiar with the dynamics of a street drug deal.

I saw *Bradley* walking NB in the 2100 block of 2nd Ave, in the company of *Williams*. *Bradley* stopped near "Zoe's" restaurant on the west sidewalk. *Bradley* was contacted by an unidentified black male approximately 50 YOA. I saw *Bradley* take his left hand out of his left outside jacket pocket and hand something to the unidentified black male with his left hand. *Bradley* then received money from the unidentified male in return. The unidentified black male walked away SB on 2nd Ave. *Williams* was standing about five feet to the north during this transaction. *Bradley* and *Williams* met back up and walked away NB on 2nd Ave. This transaction was consistent with what I know a street drug deal to look like.

Bradley and Williams walked NB on 2nd Ave to "Wally's Market." Bradley and Williams ducked into the doorway and made a hand to hand exchange. Both emerged back onto the sidewalk in front of "Wally's Market." I saw Bradley looking at some items in his cupped left hand. Bradley was contacted by an unidentified black male approximately 30 YOA. I saw Bradley hand the unidentified male something from his left hand. The unidentified male handed Bradley money, and walked away SB on 2nd Ave, and then WB on Blanchard St. Williams was standing about five feet north of Bradley during the transaction. This transaction was consistent with what I know a street drug deal to look like.

Bradley and Williams met back up and walked SB on 2nd Ave into the 2100 block. I provided WACT officers with a complete description of Bradley and Williams, and my probable cause to believe Bradley and Williams were working together in concert to sell drugs. WACT officers contacted both Bradley and Williams in the 2100 block of 2nd Ave. As WACT officers approached, Bradley made an abrupt move to his mouth with his right hand, and subsequently chewed and swallowed suspected crack cocaine. Officer Fox recovered small pieces of suspected crack cocaine from Bradley's left outer jacket pocket, which were later field-tested (positive), and \$519.00 in U.S. currency from his person. Officer

ORIGINAL

PAGE 1 OF 2



CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE NARCOTICS

INCIDENT NUMBER	-
02-208013	
UNIT FILE NUMBER	

Setterberg contacted *Williams*, and recovered *19.8 grams* of suspected *crack cocaine* and *\$85.00* in U.S. currency. Officer Setterberg conducted a field-test of a small portion of the suspected *crack cocaine* recovered from *Williams* (positive). *Williams* was also found to be wanted on an outstanding *KCSO Felony Warrant* for *VUCSA*. The arrests took place in *SODA Zone #1* and within a *Drug Free Zone* (Route #208 1st Ave/Blanchard St).

Under penalty of per	rjury under the lav	ws of the State of	f Washington,	I certify that	the foregoing
Under penalty of per is true and correct to	best of my knowl	ledge and belief.	Signed and d	ated by me th	is 14 m
day of/	$NaY_{,2002}$	2, at Seattle, Was	hington.	CNL	_
<u> </u>	1		4		
				\wedge	

ORIGINAL

	I LEA AG	KEEMEN		١,	ا ے	1
Date of Crime: 5.14.02			Da	te: 5/7-(5)	- K	12612
Date of Crime: 5.14.07 Defendant: Bradly, Hoz	thony-	Cause No: (Jr-1	<u> </u>		SEA/KNT
The State of Washington and We defendant en agreement may be withdrawn at any time pu	ter into this PLEA rior to entry of the	AGREEME guilty plea	NT whic . The PL	h is accepted only b EA AGREEMENT	y a guilty p is as follov	lea. This vs:
On Plea To: As charged in Count(s)	I		of the	Daniel Mr.	amended in	nformation.
☐ With Special Finding(s): ☐ deadly weapo 9.94A.310(4); ☐ sexual motivation, RCW 9.9	on - firearm, RCW 9 94A.127; □ protec	9.94A.310(3 ted zone, R); 🛮 dea	adly weapon other the 10.435; domestic	han firearm violence, D	RCW
1. □ DISMISS: Upon disposition of Count(s) the State moves to dismiss Count(s):)					
2. SREAL FACTS OF HIGHER/MORE S 9.94A.370, the parties have stipulated that the says set forth in the certification(s) or as set forth in	court, in sentencing f probable cause an	g, may consi	der as rea	al and material facts	ance with R information	CW n as follows:
3. ☐ RESTITUTION: Pursuant to RCW 9.94 ☐ in full to the victim(s) on charged o ☐ as set forth in	counts.					
4 POHER: ARRESTA	TI IN	SNOW	e gra	IX Acron	soci l	
33 months	agreed	, (on	cura	nt to		
	-0	02		07413-	452	4-
SENTENCE RECOMMENDATION: a. LY The defendant agrees to the foregoing P (Appendix A) and the attached Prosecutor's to complete and that the defendant was representates the sentencing recommendation set for	Understanding of I nted by counsel or	Defendant's (waived cour	Criminal : usel at the	History (Appendix le time of prior convi	B) are accui	rate and
b. \square The defendant disputes the Prosecutor's with regard to a sentencing recommendation	and may make a s	entencing re	commend	dation for the full pe	enalty allow	agreement ed by law.
Maximum on Counti	s not more than	2	KD-	years and/or \$ 💆	9000	fine.
Maximum on Counti	s not more than			years and/or \$		fīne.
☐ Mandatory Minimum Term(s) pursuant to R	.CW 9.94A.120(4)	only:				·····
☐ Mandatory weapon sentence enhancement for additional term(s) must be served consecutive	or Count(s)	n and witho	is ut any ea	mon	ths each. T	his/these
☐ Mandatory driver's license revocation RCW	46.20.285; 69.50.4	4 20				
Mandatory revocation of right to possess a firea	arm and/or ammun	ition for any	felony c	onviction. RCW 9.	41.047.	
The State's recommendation will increase in senew charged or uncharged crimes, fails to appe	verity if additional ear for sentencing o	criminal cor	victions e conditi	are found or if the d ons of his release.	efendant co	ommits any
On by Brilly	. <i>-</i>			910		
Defendant War Allendant	! ———	-#	Zas	Deputy Prosecuting	Attorney	Ppn
** ***********************************			- 1 111616	ae Kingi Mility XIII	OPTION L'OUT	# 434 1 1 1 1 1 1 1 1

0/14/02

GENERAL SCORING FORM Drug Offenses

Use this form only for the following offenses: Controlled Substance Homicide; Create, Deliver, or Possess a Counterfeit Controlled Substance - Methamphetamine; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule I or II Narcotic; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule II-V Nonnarcotic; Deliver or Possess with Intent to Deliver Methamphetamine; Delivery of a Material in Lieu of a Controlled Substance; Involving a Minor in Drug Dealing; Manufacture, Deliver, or Possess with Intent to Deliver Amphetamine; Manufacture, Deliver, or Possess with Intent to Deliver Metriquane; Manufacture, Deliver, or Possess with Intent to Deliver Amariguane; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule I-I (except Heroin or Cocaine), or Flunitrazepam from Schedule IV; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule III-V or Nonnarcotic from Schedule IV-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam); Maintaining a Dwelling for Controlled Substances; Manufacture of Methamphetamine; Over 18 and Deliver Narcotics from Schedule III-V or Someone Under 18; Over 18 and 3 years Junior, Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to manufacture Methamphetamine; Selling for Profit (Controlled or Counterfeit) any Controlled Substance.

OFFENDER'S NAME	OFFENDER'S DOB	STATE ID#	
Bradley, Anthony L	09/16/1974	14830884	
JUDGE	CAUSE#	FBI ID#	· · · · · · · · · · · · · · · · · · ·
	02C047188SEA	57122TA8	

DOC# 707050

In the case of multiple prior convictions for offenses committed before July 1, 1986, for purposes of computing the offender score, count all adult convictions served concurrently as one offense and Juvenile convictions entered on the same date as one offense (RCW 9.94A,360).

ADULT HISTORY Fater number of felony drug convictions* (as	defined by RCW 9.94A.030(16))	. \(\sum_{x 3} = \sum_{\text{Q}} \)
• •		$\int_{0}^{\infty} \sqrt{\frac{1}{x}} = \sqrt{\frac{1}{x}} \left(\frac{1}{x} \right)$
	as defined by RCW 9.94A.030(16))	+ x 2 = 1
Enter number of other felony dispositions	D-1/1-10-10-10-10-10-10-10-10-10-10-10-10-10	$\sum \times 1/2 = \sum \{$
OTHER CURRENT OFFENSES: (Those offenses not	encompassing the same criminal conduct)	ι .
Enter number of other felony drug conviction	s* (as defined by RCW 9.94A.030 (16))	x 3 =
Enter number of other felony convicitions		$\int x 1 = \int$
STATUS AT TIME OF CURRENT OFFENSES: If on community placement at time of current	offense, add I point	+ 1 =
Total the last column to get the Offender Score (Round down to the nearest whole number)		PT 8
િગ્ધ	STANDARD RANGE CALCULATION* 48	33 43
VUCSA: PWi - Cocaine	THE TO	tot To late morms
CURRENT OFFENSE	SERIOUSNESS OFFENDER	LOW HIGH

^{*} If the court orders a deadly weapons enhancement, use the applicable enhancement sheets on pages 111-14 or 111-15 to calculate the enhanced sentence.

Add additional time to the standard range for some drug offenses committed in a correctional facility or in a protected zone. See the individual offense reference sheets for specifics.

^{*} If Drug Offender Sentencing Alternative (DOSA) eligible: see DOSA form for alternative sentence on page III-16.

^{**} The Supreme Court clairified that solicitations to commit violations of the Uniform Controlled Substances Act (RCW 69.50) are not "drug offenses" and are not subject to the multiple "scoring" requirements for drug offenses, under RCW 9.94A.360, or to the community placement requirement for drug offenses, under RCW 9.94A.120(9)(a). See In re Hopkins. 137 Wn. 2d 897 (1999).

APPENDIX B TO PLEA AGREEMENT PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY (SENTENCING REFORM ACT)

	Defendant:	Anthony L	Bradley	FBI Num: StateID Num:	57122TA8 14830884
	None Kn	own. Recon felony conv	nmendation and standard range assumes ictions		
	Criminal	history not	known and not received at this time		
·	Cause	. A	Adult Felonies		
	931016081	WA]	King Superior		
8(B)	Offense 2/26/93	Sentence 4/9/93	VUCSA: Deliver Cocaine	90 Days	
	931043453	WA I	King Superior		
2(1)	Offense 3/10/93	Sentence 11/19/93	VUCSA: Possess Cocaine	5 Months	28 Days
	931044077	WA I	King Superior		
2(0)	Offense 8/14/93	Sentence 11/19/93	Attempting to Elude Pursuing Police Vehicle	5 Months 2	28 Days
	941075248	WA F	King Superior		
2(9)	Offense 6/30/94	Sentence 3/17/95	VUCSA: Possess Cocaine	13 Months	
	971006178	WA F	King Superior		
(1)	Offense 10/7/94	Sentence 9/5/97	VUCSA: Possess Cocaine	16 Months	
(1)	971057392	WA F	Ling Superior		
7(A)	Offense 4/23/97	Sentence 12/19/97	VUCSA: Deliver Cocaine	6 Years 5 1	Months
	Cause		Juvenile Felonies	,	
			ency		•
_	898007551 Offense	WA K	ing Superior		
(~ ₁)	11/11/88	4/17/89	VUCSA: Deliver	10 Days	· ·
	898024405	WA K	ing Superior		
(D)	Offense 2/24/89	Sentence 7/18/89	VUCSA: Possess Cocaine	2 Days	
					•

Prepared By:

King County Prosecuting Attorney/Department of Corrections Criminal History Partnership - 10/13/99

Community Corrections Assistant

5/20/02

APPENDIX B TO PLEA AGREEMENT PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY (SENTENCING REFORM ACT)

Page 2 of 2

	Defendant:	Anthony L	. Bradley		FB! Num:	57122TA8
•					StateID Num:	14830884
		own. Recor felony conv	nmendation and standar	d range assumes		
	Criminal	history not	known and not received	at this time		
	Cause	A	Juveni _{gency}	le Felonies		
						e.
	898025525		King Superior			
(2)	* Offense 5/13/89	Sentence 7/18/89	VUCSA: Deliver		15 Days	
, .	908001794	WA 3	King Superior			
2 (47)	Offense 12/27/89	Sentence 2/15/90	VUCSA: Possess Cocair	ne	13 Weeks	
	918034941	WA I	King Superior			
	Offense 6/8/91	Sentence 7/10/91	VUCSA: Possess with In	ntent	80 Weeks	•
			Misde	meanors		
	Cause	7	ency			
= (2)	DNOEN 15	Y. C.A.	،۵۰۷ (اسر		•	
	Offense	Sentence			•	
	1994 - NVOL 1993 - Susp Driving; Susp Juvenile	OL 2; Susp _; Susp OL OL 3; Failu o OL 2; DW	re to Delivered Leased LS 2;	•	•	ided; Negligent
			arijuana LT 40g; Crimina 3; Obstruction;	ai irespass 2; Obstr	uction;	

Prepared By: 15

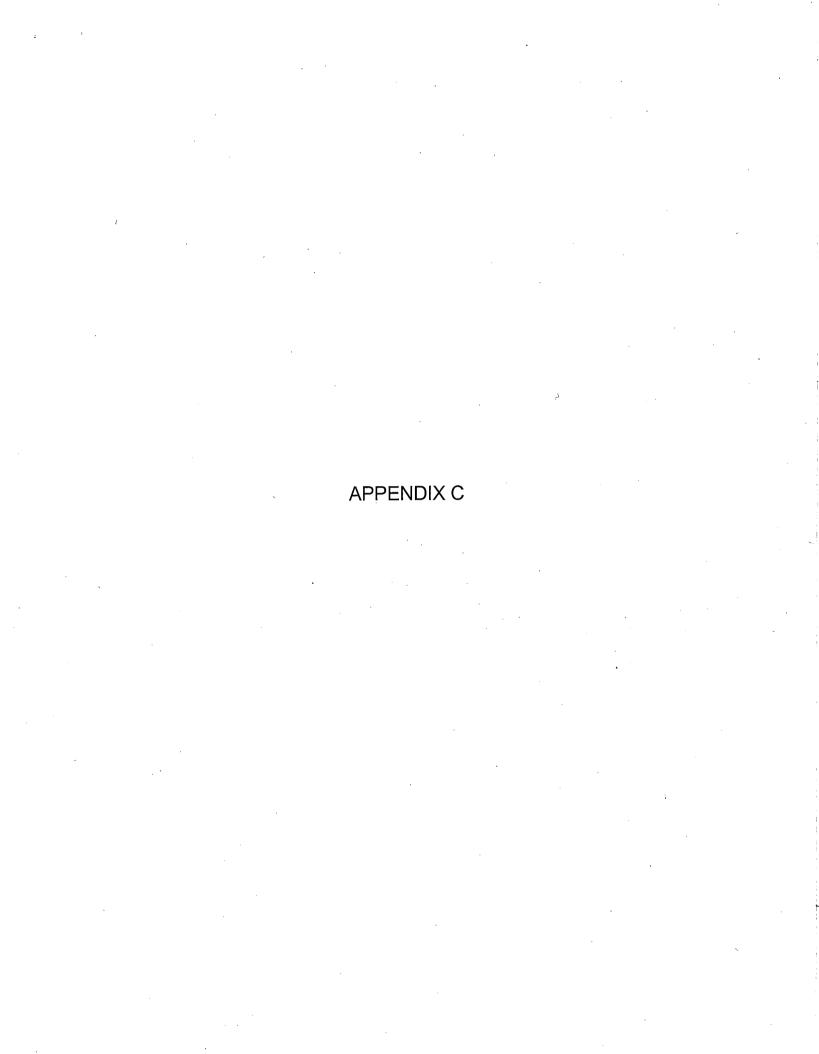
King County Prosecuting Attorney/Department of Corrections Criminal History Partnership - 10/13/99

Community Corrections Assistant

STATE'S SENTENCE RECOMMENDATION
(NON-SEX OFFENSE ;COMMITTED on or after 7/1/2000; SENTENCE OVER ONE YEAR)

Date of Crime : 5/14/02	Date: Tholes	8/12/6/0
Defendant: Arabony Unandity	Cause No.: 01-(-04) (8-8	SEAKNT
State recommends that the defendant be sentenced to a term of		illows:
Count I months (C	Count IV	months
Count II months	Count V	months
Count III months	Count VI	months
Terms on each count to run concurrently/consecutively with externs to be served concurrently/consecutively with: Terms to be consecutive to any other term(s) not specifically r	62-(-27413-4569	
☐ WEAPONS ENHANCEMENT - RCW 9.94A.310: The enhancement time: months for Ct, months good time and served consecutive to any other term of confine months.	s for Ct. , months for Ct. ; which is/are	mandatory, served without
□ WORK ETHIC CAMP - RCW 9.94A.137: Defendant is current offense is not VUCSA or VUCSA solicitation for crim not recommended. If not, why not:	ies after 7/25/99; no current or prior violent or sex offense	ay; not more than 36 months; e). Work Ethic Camp is/is
☐ DRUG OFFENDER SENTENCE ALTERNATIVE - Reoffenses; 2) no weapon enhancement; 3) if VUCSA "small quarecommendation form instead of this form.) Defendant is not	antity" of drugs, 4) not deportable. (If DOSA is recomme.	rior violent offenses, sex nded, use DOSA
TEXESPTIONAL SENTENCE: Bew 3,94A.120(2); Received in the presumptive sentence range are □ NO CONTACT: For the maximum term, defendant have a monetary Payments: Defendant make the following to years pursuant to RCW 9.94A.120(12) and RCW 9.94A.14 □ Restitution as set forth in the "Plea Agreement" page of the presumptive in the presumptive in the "Plea Agreement" page of the presumptive in the pres	set forth on the attached form. no contact with	ent of Corrections for up to
COMMUNITY CUSTODY (RCW 9.94A.120(11): Offender serve a term of community custody for the applicable period se		
□ Sex Offense 36 - 48 months □ Serious Violent Offense 24 - 48 months □ Violent Offense 18 - 36 months	☐ Crimes Against Persons 9 – 18 months Figure 18 months 9 – 12 months	Check box for largest applicable range
MANDATORY CONSEQUENCES: HIV blood testing (RC associated with needle usc. DNA testing (RCW 43.43.754) for Revocation (RCW 46.20.285; RCW 69.50.420). Revocation	r any sex offense or violent offense as defined in RCW 9.9	
	Approved by: Deputy Prosecuting Attorney	WSBA No.
KING COUNTY PROSECUTING ATTORNEY Revised 7/2000) 1135	

KING COUNTY PROSECUTING ATTORNEY Revised 7/2000



VUCSA OVER 21

Rev 07/00 -

FILED

02 OCT 17 AM 9: 59

KING COUNTY SUPERIOR COURT CLERK SEATTLE, WA.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)
Plaintiff,	No. 02/0741345eA
onthony bradley	JUDGMENT AND SENTENCE) FELONY)
Defendant,	_)
√ ta	HEARING (LIST A. SATEROND) Lalver S , and the deputy prosecuting attorney were thers present were:
ш.	FINDINGS
There being no reason why judgment should not be pr 2.1 CURRENT OFFENSE(S): The defendant was for Count No.: Crime:	onounced, the court finds: bund guilty on Sept 26 102 by plea. of: pass. W in tent to deliv. / MAN. Crock Cocair Crime Code: (1888)
RCW 69.50.40(A)(1)(1) Date of Crime: Asg 16 10 2	Incident No. 02-368236
Count No.: Crime:	Crime Code:
RCW	-Incident No.
Count No.: Crime:	Crime Code:
RCW	Incident No.
Count No.: Crime: RCW	Crime Code:
Date of Crime:	Incident No.
[] Additional current offenses are attached in Appe	endix A
•	:

		_			•	•
(b) [] While (c) [] With (d) [] A V. (e) [] Vehic (f) [] Vehic RCW (g) [] Non-p	ammed with a sexual moti U.C.S.A offerular homicic cular homicic 9.94A.310(7) parental kidi estic violence nt offenses en	a deadly weapo ivation in count inse committed de []Violent tr de by DUI with /). napping or unla offense as defu	in other than a fi (s) in a protected z affic offense [prior c wful imprisonmed in RCW 10.5	DUI [] Reck	RCW 9.94A.127. RCW 6 less []Disregard. ffense(s) defined in 1 ictim. RCW 9A.44.1	59.50.435. RCW 41.61.5055,
2.2 OTHER in calculating	CURRENT (CONVICTION score are (list of	(S): Other current Tense and cause	nt convictions liste number):	d under different ca	use numbers used
offender score	are (RCW 9. history is attachications count	94A.360): ched in Append ed as one offens	ix B.	the offender score	for purposes of calcute (RCW 9.94A.360()	5) are:
24 SENTEN	CING DATA	A.:	· .			
2.4 SENTEN	CING DATA	A: Seriousness	Standard	<u> </u>	Total Standard	Maximum
2.4 SENTEN Sentencing Data			Range	Enhancement	Range	Term
Sentencing	Offender	Seriousness	4 1 1	Enhancement) .
Sentencing Data	Offender Score	Seriousness Level	Range	Enhancement	Range	Term
Sentencing Data Count	Offender Score	Seriousness Level	Range	Enhancement	Range	Term
Sentencing Data Count Count	Offender Score	Seriousness Level	Range	Enhancement	Range	Term
Sentencing Data Count Count Count Count Count	Offender Score 9	Seriousness Level VII assessmenting descriptions	Range 87-116	Appendix C.	Range 87-110 ms.	Term 20 y/, \$50,00
Sentencing Data Count Count Count Count [] Additional 2.5 EXC [] Substantia	Offender Score 9 current offer EPTIONAL I and compeli	Seriousness Level VII assessmenting descriptions SENTENCE: ling reasons exist	Range	Appendix C.	Range 87-116 ms. elow the standard ra	Term 20 y/, \$50,00
Sentencing Data Count Count Count Count Count [] Additional	Offender Score 9 current offer EPTIONAL I and compeli	Seriousness Level VII assessmenting descriptions SENTENCE: ling reasons exist	Range	Appendix C.	Range 87-116 ms. elow the standard ra	Term 20 y/, \$50,00
Sentencing Data Count Count Count Count Count [] Additional 2.5 EXC [] Substantia Count(s) Appendix D.	Offender Score 9 current offer EPTIONAL i and compeli	Seriousness Level VII ase sentencing d SENTENCE: ling reasons exis	Range 87-116 ata is attached in the structure of the st	a Appendix C. sentence above/b indings of Fact and a similar sentence.	Range 87-116 ms. elow the standard rail Conclusions of Law	Term 20 y/, \$50,00 ange for ware attached in
Sentencing Data Count Count Count Count Count [] Additional 2.5 EXC [] Substantia Count(s) Appendix D.	Offender Score Q current offer EPTIONAL I and compeli The State [Seriousness Level VII- Inse sentencing d SENTENCE: ling reasons exis did [] did	Range 87-116 ata is attached in the structure of the st	a Appendix C. sentence above/b indings of Fact and a similar sentence.	Range 87-116 ms. elow the standard ra	Term 20 y/, \$50,00 ange for ware attached in

IV. ORDER

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

4_1	RESTITUTION AND VICTIM ASSESSMENT:
	Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E.
	Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.142(2), sets forth those circumstances in attached Appendix E.
	Court, pursuant to RCW 9.94A. 142(2), sets form those circumstances in attached Appendix 2. [] Restitution to be determined at future restitution hearing on (Date)atm.
	Date to be set.
	Defendant waives presence at future restitution hearing(s).
	1 Restitution is not ordered.
	Defendant shall pay Victim Penalty Assessment pursuant to RCW 7.68.035 in the amount of \$500.
4.2	OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future
	financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the
•	defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this
	Court
	(a) [] \$, Court costs; [] Court costs are waived; (RCW 9.94A.030, 10.01.160)
	(b) (1) Recomment for attorney's fees to King County Public Defense Programs;
	(b) [] \$, Recoupment for attorney's fees to King County Public Defense Programs; [] Recoupment is waived (RCW 9.94A.030);
	,
	(c) [] \$, Fine; []\$1,000, Fine for VUCSA; []\$2,000, Fine for subsequent VUCSA; []VUCSA fine waived (RCW 69.50.430);
	(d) []\$ \(\frac{1}{2}\), King County Interlocal Drug Fund; [] Drug Fund payment is waived; (RCW 9.94A.030)
	(RCW 9.94A.030)
·	
	(e) [] 5
_	(e) [] \$
	•
	(g) [] S
4.3	PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 500. The
	payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the
	following terms: []Not less than \$ per month; [] On a schedule established by the defendant's
	Community Corrections Officer, Financial obligations shall bear interest pursuant to RCW 10.82.090. The
	Defendant shall remain under the Court's jurisdiction and the supervision of the Department of Corrections for up to ten years from the date of sentence or release from confinement to assure payment
	of financial obligations. This feet infellest waived
	or rengerent conferious. In 1 Land 1 Land 1 Acres and to be

4.4	The Court finds the defendant eligible pursuant to RCW 9.94A.120(6)(a), as amended by CH 197, 1999 LAWS, eff. 7-25-99; [recodified RCW 9.94A.660 eff. 7-1-01] that the defendant and the community will benefit from use of D.O.S.A.; waives imposition of sentence within the standard range and sentences the defendant as follows:						
	(a)	(a) TOTAL CONFINEMENT, RCW 9.94A.120(6)(b): The defendant is sentenced to the following term(s) of commitment in he custody of the DEPT. OF CORRECTIONS to commence [] immediately [] not later thanatP.M.					
		50-75 months on Count No months on Count No					
		months on Count No months on Count No					
		months on Count No months on Count No					
	(b)	The above term(s) of confinement represent one half of the midpoint of the standard range.					
	(c)	The terms imposed herein shall be served concurrently.					
		The terms imposed herein shall run concurrent for security. The term(s) imposed herein shall run concurrent for security with cause No(s) 52 647188 Security with cause No(s) 647188 Securit					
•		The term(s) imposed herein shall run consecutively to any previously imposed commitment not referred to in this judgment.					
	(ď)	The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause. RCW 9.94A.120(17). The time shall be compiled by the JAIL unless specifically set by the court as follows:					
	(e)	While incarcerated in the Department of Corrections the defendant shall undergo a comprehensive substance abuse assessment and receive, within available resources, appropriate treatment services.					
1.5	mid	MMUNITY CUSTODY: The court further imposes 50.75 months, the remainder(s) of the point(s) of the standard range(s), as a term of community custody during which time the defendant shall poly with the instructions, rules and regulations promulgated by the Department for conduct of the					
	defe	endant during community custody; shall perform affirmative acts necessary to monitor compliance, shall y all laws and comply with the following mandatory statutory requirements:					
	(1) (2)	The defendant shall not own, use or possess any firearm or ammunition. RCW 9.94A.120(16). The defendant shall not use illegal controlled substances and shall submit to urinalysis or other testing to monitor compliance. RCW 9.94A.120.(6)(b)(ii), and (iii)					
	(3)	The state of the s					
•	The	The court further imposes the following non-mandatory conditions of Community Custody (if checked):					
	(4)	[X] The defendant shall not use any alcohol or controlled substances without prescription and shall					
	(5)	undergo testing to monitor compliance. [] Devote time to a specific employment or training.					
	(5) (6)	[] Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment.					
	(7)	[X] Report as directed to a community corrections officer.					
	(8)	[X] Pay all court ordered legal financial obligations.					
	(9)	Perform community service work.					

	(10) [] Stay out of designated areas as follows:
	(11) [] Other conditions as set forth in Appendix F
4.6	NON-COMPLIANCE RCW 9.94A.120(6)(c)(e): If the defendant fails to complete the Department's special drug offender sentencing alternative program or is administratively terminated from the program, he/she shall be reclassified by the Department to serve the balance of the unexpired term of sentence. If the defendant fails to comply with the conditions of supervision as defined by the Department, he/she shall be sanctioned. Sanctions may include reclassification by the Department to serve the balance of the unexpired term of sentence.
	For offenses committed after 7-1-2000 the court further imposes the following additional terms of Community Custody upon failure to complete or administrative termination from D.O.S.A. program: the entire period of earned early release or for any "crime against person" in section 2.1 herein 9 - 18 months; for any violation of 69.50/52 in section 2.1 herein 9 - 12 months whichever is longer. The defendant in this event shall comply with the conditions of Community Custody set forth in section 4.5 herein.
4.7	[]BLOOD TESTING (Prostitution offense or drug offense associated with the use of hypodermic needles): Appendix G, covering blood testing and counseling, is attached and incorporated by reference into this Judgment and Sentence.
4.8	[] OFF-LIMITS ORDER: The defendant, having been found to be a known drug trafficker, shall neither enter nor remain in the protected against drug trafficking area(s) as described in Appendix I during the term of community supervision. Appendix I is attached and incorporated by reference into this Judgment and Sentence. [] NO CONTACT: For the maximum term of
Date	10.16.02 JUDGE Print Name: KroJem
Pres	ented by: Approved as to form:

BEST AVAILABLE IMAGE POSSIBLE

RIGHT HAND FINGERPRINTS OF: DATED: 19/10/07	DEFENDANT'S SIGNATURE: THE DOMEST DEFENDANT'S ADDRESS (My Co Common Control of the Control of t
JUDGE, KING COUNTY SUPERIOR COURT	DEPUTY CLERK
CERTIFICATE .	OFFENDER IDENTIFICATION
I,, CLERK OF THIS COURT, CERTIFY THAT	S.I.D. NO.
THE ABOVE IS A TRUE COPY OF THE JUDGMENT AND SENTENCE IN THIS	DATE OF BIRTH:
ACTION ON RECORD IN MY OFFICE. DATED:	SEX:
	RACE:
•	

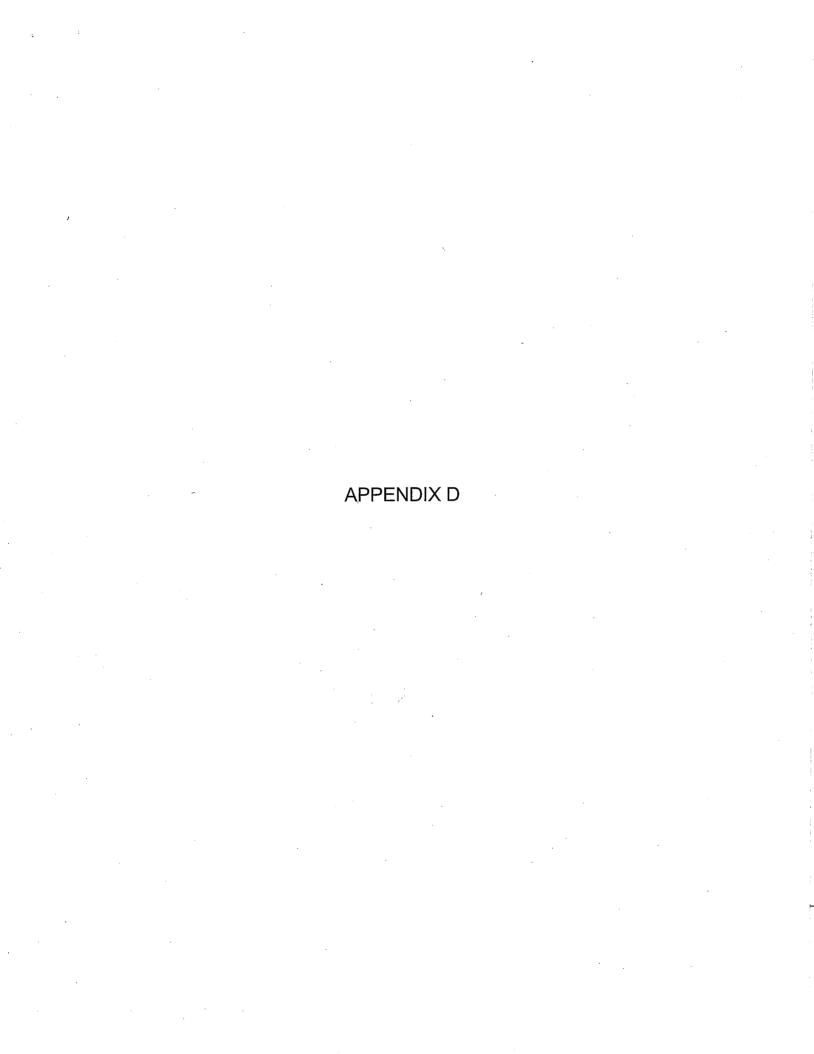
BY: DEPUTY CLERK

PAGE - FINGERPRINTS 4-25-01

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
•) Plaintiff,)	NO02/07413458A
)	
c Shi 1)	JUDGMENT AND SENTENCE
anthony bro	3 dley	(FELONY) — APPENDIX F, ADDITIONAL CONDITIONS
	· /	OF SENTENCE
	Defendant.	e e
•). }	
	/	,
Additional conditions of sen	tence are:	•
		2
	rate don't much	obey Mes of DoSA program
	11/11 theta	Pat
	- XI/OW /VEA/IN	<u> </u>
	AND THE RESERVE OF THE PARTY OF	
	·	
	<u></u>	
	•	
	The state of the s	
.		A. W. I. A.
Daie: October 16	. 2002	A luneth Constock
	/	Judge, King County Superior Court
	/	l C
	/	NoVlm.

APPENDIX F



3 5 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY 6 STATE OF WASHINGTON, No. Od-C- UT/13-1504 Plaintiff. 8 9 Vs. STATEMENT OF DEFENDANT ON 10 LI BRADLOY PLEA OF GUILTY (Felony) 11 12 (DADLLEY AN THOM My true name is 13 Date of Birth 2. 14 gradeand 1 Th Morrins I went through the 3. 15 I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT: 16 (a) I have the right to representation by a lawyer and that if I cannot afford to pay for a 17 lawyer, one will be provided at no expense to me. My lawyer's name is Fru A. Onthers 18 (b) I am charged with the crime(s) of PUSSUM WITH IMMO (7) 19 The elements of this crime(s) are // KNG O WA 20 21 22 FORM REV 7/12/00

STATEMENT OF DEFENDANT ON PLEA OF GUILTY

(Felony) - 1

2

STATEMENT OF DEFENDANT ON PLEA OF GUILTY

(Felony) - 2

and Fine

vears

years

years

6

7

8

11 12

13

14

15 16

17

18

19

20 21

offense" as defined in that statute, I may be found a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4). The law does not allow any reduction of this sentence.

图图图 美国医疗

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions, whether in this state, in federal court, or elsewhere. If my current offense was prior to 7/1/97: criminal history always includes juvenile convictions for sex offenses and also for Class A felonies that were committed when I was 15 years of age or older: may include convictions in Juvenile Court for felonies or serious traffic offenses that were committed when I was 15 years of age or older; and juvenile convictions, except those for sex offenses and Class A felonies, count only if I was less than 23 years old when I committed the crime to which I am now pleading guilty. If my current offense was a after 6/30/97: criminal history includes all prior adult and juvenile convictions or adjudications.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if I was on community placement at the time of the offense to which I am now pleading guilty, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendations may increase. Even so, my plea of guilty to this charge is binding on me. I FORM REV 7/12/00

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 3

cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase.

If the current offense to which I am pleading guilty is a most serious offense as defined by RCW 9.94Å.030(23),(27), and additional criminal history is discovered, not only do the conditions of the prior paragraph apply, but also if my discovered criminal history contains two prior convictions, whether in this state, in federal court, or elsewhere, of most serious offense crimes, I may be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4).

Even so, my plea of guilty to this charge may be binding on me. I cannot change my plea if additional criminal history is discovered, even though it will result in the mandatory sentence that the law does not allow to be reduced.

- (e) In addition to sentencing me to confinement for the standard range, the judge will order me to pay \$500 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damages to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The judge may also order that I pay a fine, court costs, incarceration, lab and attorney fees. Furthermore, the judge may place me on community supervision, community placement or community custody, impose restrictions on my activities, rehabilitative programs, treatment requirements, or other conditions, and order me to perform community service.
- (f) The prosecuting attorney will make the following recommendation to the judge:

 87 MONTHS (LOW GNO) CONCUMUM VO 02-C-047/8-8504

 FORM REV 7/12/00 VPA, DWG FINISMO & COSTS, LOCAL ONG FOR (NCAN ATUM) COSTS, DUFF CAN NUTVUST DOSA

 STATEMENT OF DEFENDANT ON PLEA OF GUILTY
 (Felony)-4

1	
2	
3	See attached Plea Agreement and State's Sentence Recommendation.
4	(g) The judge does not have to follow anyone's recommendation as to sentence. The judge
5	must impose a sentence within the standard range unless the judge finds substantial and compelling
6	reasons not to do so. If the judge goes outside the standard range, either I or the State can appeal
7	that sentence. If the sentence is within the standard range, no one can appeal the sentence.
8	(h) The crime ofhas a mandatory minimum sentence
9	of at least years of total confinement. The law does not allow any reduction of this
10	sentence. [If not applicable, this paragraph should be stricken and initialed by the defendant and the
11	judge Judge
12	The crime of is a most serious offense as defined by
13	RCW 9.94A.030(23), and if the judge determines that I have at least two prior convictions on
14	separate occasions whether in this state, in federal court, or elsewhere, of most serious crimes, I may
15	be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must
16	impose the mandatory sentence of life imprisonment without the possibility of early release of any
17	kind, such as parole or community custody. RCW 9.94A.120(4). [If not applicable, this paragraph
18	should be stricken and initialed by the defendant and the judge 11-1-1 Bt
19	The crime of is also a "most serious offense" and a
20	"sex offense" as defined in RCW 9.94A.030(23) and (27), and if the judge determines that I have
21	one prior conviction whether in this state, in federal court or elsewhere of a most serious sex offense
22	as defined in that statute, I may also be found to be a Persistent Offender in which case the judge FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 5

1	must impose a mandatory sentence of life without the possibility of parole. RCW 9.94A.120(4). [If
2	not applicable, this paragraph should be stricken and initialed by the defendant and the judge
3]
4	(i) The crime charged in Count includes a firearm/deadly weapon sentence
5	enhancement of months.
6	This additional confinement time is affundatory and must be served consecutively to any
7	other sentence I have already received or will receive in this or any other cause. [If not applicable,
8	this paragraph should be stricken and initialed by the defendant and the judge
9	(j) The sentences imposed on counts, except for any weapons enhancement,
10	will run concurrently unless the judge finds substantial and compelling reason to do otherwise or
11	unless there is a special weapons finding. [If not applicable, this paragraph should be stricken and
12	initialed by the defendant and the judge]
13	(k) In addition to confinement, the judge will sentence me to a period of community
14	supervision, community placement or community custody.
15	For crimes committed prior to July 1, 2000, the judge will sentence me to: (A) community
16	supervision for a period of up to one year, or (B) to community placement or community custody
17	for a period up to three years or up to the period of earned release awarded pursuant RCW
18	9.94A.150(1) and (2), whichever is longer. [If not applicable, this paragraph should be stricken and
19	initialed by the defendant and the judge .] By
20	For crimes committed on or after July 1, 2000, the judge will sentence me to the community
21	custody range which is from months to months or up to the period of earned
22	release awarded pursuant to RCW 9.94A.150(1) and (2), whichever is longer, unless the judge finds FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 6

Ţ	substantial and compelling reasons to do otherwise. During the period of community custody I wil
2	be under the supervision of the Department of Corrections, and I will have restrictions and
3	requirements placed upon me. My failure to comply with these conditions will result in the
4	Department'of Corrections transferring me to a more restrictive confinement status or imposing
5	other sanctions. [If not applicable, this paragraph should be stricken and initialed by the defendant
6	and the judge]
7	(I) If this offense is a sex offense committed after 6/5/96 and I am either sentenced to the
8	custody of the Department of Corrections or if I am sentenced under the special sexual offender
9	sentence alternative, the court will, in addition to the confinement, impose not less than 3 years of
10	community custody which will commence upon my release from jail or prison. Failure to comply
11	with community custody may result in my return to confinement. In addition, the court may extend
12	the period of community custody in the interest of public safety for a period up to the maximum
13	term which is [If not applicable,
14	this paragraph should be stricken and initialed by the defendant and the judge.
15	(m) The judge may sentence me as a first-time offender instead of imposing a sentence
16	within the standard range if I qualify under RCW 9.94A.030. This sentence may include as much as
17	90 days of confinement plus all of the conditions described in paragraph (e). In addition, I may be
18	sentenced up to two years of community supervision if the crime was committed prior to July 1,
19	2000, or two years of community custody if the crime was committed on or after July 1, 2000. The
20	judge also may require me to undergo treatment, to devote time to a specific occupation, and to
21	pursue a prescribed course of study or occupational training. [If not applicable, this paragraph
22	should be stricken and initialed by the defendant and the judge [] .] FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 7

(Felony) - 8

(Felony) - 9

1	11. The judge has asked me to state briefly in my own words what I did that makes me
2	guilty of this (these) crime(s). This is my statement:
3	IN KING CO WA ON 8/16/02
_	AND FERENCOUSLY
4	I KNUMERCY POSSESSED COCKNO WITH INTON TO
5	# LEND MAGLY POSSESSED COCHNO WITH INTON TO
6	MB WAS A COMMOLION ILLGEBOR SUBSTANCE
7	
8	
9	
10	
11	
12	
13	
14	12. My lawyer has explained to me, and we have fully discussed, all of the above
15	paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on
16	Plea of Guilty." I have no further questions to ask the judge.
17	anthom Padox
18	DEFENDANT
19	I have read and discussed this statement
20	with the defendant and believe that the defendant is competent and fully
21	understands the statement.
22	PROSECUTING ATTORNEY DEFENDANT'S LAWYER
	FORM REV 7/12/00 # 20276
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 10

1	The foregoing statement was signed to defendant's lawyer and the undersign			
2	[] (a) The defendant had previously	read: or		
3	[] (b) The defendant's lawyer had pr	eviously read to him		* *
4	[] (c) An interpreter had previously defendant understood it in full		it the entire statement above	and that the
5	I find the defendant's plea of guilty to defendant understands the charges an	• • •		
6	plea. The defendant is guilty as charg	-	•	
7	Dated this 26 day of Sep	<u>01.</u> , 20 <u>02</u> .		
8			Barbara Va	DPO TEM
9	T are Observed in the	1		PRO TEM
10	I am fluent in the	-		
11	the defendant from English into that la	anguage. I certify un	nder penalty of perjury under	the laws of
12	the State of Washington that the foreg	oing is true and corr	ect.	
	Dated this day of	,20		
13				
13				<u>-</u>
13 14	TRANSLATOR		INTERPRETER	· · ·
	TRANSLATOR		INTERPRETER	
14	TRANSLATOR		INTERPRETER	······································
14 15	TRANSLATOR		INTERPRETER	· · · · · · · · · · · · · · · · · · ·
14 15 16 17	TRANSLATOR		INTERPRETER	
14 15 16 17	TRANSLATOR		INTERPRETER	
14 15 16 17	TRANSLATOR		INTERPRETER	
14 15 16 17	TRANSLATOR		INTERPRETER	
14 15 16 17 18	TRANSLATOR		INTERPRETER	
14 15 16 17 18 19	TRANSLATOR		INTERPRETER	
14 15 16 17 18 19 20	TRANSLATOR FORM REV 7/12/00		INTERPRETER	

1		
2		
3		
4		
5		
6		
7	SUPERIOR COURT OF WA	ASHINGTON FOR KING COUNTY
8	THE STATE OF WASHINGTON,)
9	Plaintiff,) No. 02-C-07413-4 SEA) 02-C-07414-2 SEA
10	v. ANTHONY LAMOUNT BRADLEY, and))
11	JOYCE MARIE HAYES and each of them,	,) INFORMATION)
12		,))
13	Defendants.))
14		•
15 16 17	name and by the authority of ANTHONY LAMOUNT BRADLEY and JOY	ng Attorney for King County in the the State of Washington, do accuse CE MARIE HAYES, and each of them, of Uniform Controlled Substances Act,
18	That the defendants ANTHO	NY LAMOUNT BRADLEY and JOYCE MARIE
19	HAYES, and each of them, in K	ing County, Washington on or about feloniously did possess with intent
20	to manufacture or deliver Coca narcotic drug, and did know it	aine, a controlled substance and a
21	Contrary to RCW 69.50.401 dignity of the State of Washing	(a)(1)(i), and against the peace and
22	dignity of the state of Mashing	gcon.
23		NORM MALENG Prosecuting Attorney
24		Flosecuting Accorney
25		By:
26		Deputy Prosecuting Attorney
27	TNEODMARIAN 1	Norm Maleng Prosecuting Attorney W 554 King County Courthouse Seattle, Washington 98104-2312 (206) 296-9000
Į.	INFORMATION- 1	(200) 250-5000

INFORMATION- 1

8

9

10

11

12 13

14

15

17

18

19 20

21

22

23

24

25 26

27

P

Prosecuting Attorney Case Summary and Request for Bail and/or Conditions of Release - 1

CAUSE NO. 02-C-07413-4 SEA CAUSE NO. 02-C-07414-2 SEA

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause for Seattle Police Department incident number 02-368236, signed by Officer R. Smith.

REQUEST FOR BAIL

Bail at First Appearance was set for defendant Bradley in the amount of \$25,000. Given Bradley's criminal and warrant history, as well as the fact that this offense occurred while he was released on bail for a pending VUCSA Possession with Intent charge (King County cause number 02-C-04718-8 SEA), the State requests that bail be increased to \$50,000. Defendant Bradley has adult felony convictions for VUCSA Delivery (two convictions, 1993 and 1997), VUCSA Possession (three convictions, 1993-1995) (1993). Attempting to Elude Bradley has juvenile felony convictions for VUCSA Delivery (two convictions, 1988-1989), VUCSA Intent (1991) and VUCSA Possession Possession with convictions, 1989). Bradley was convicted of Attempted VUCSA earlier this year, in April, 2002. Additionally, he has two Obstructing convictions and multiple driving offenses. According to Court Services, Bradley has been booked into the King County Jail 33 times since 1993 and has accrued 48 warrants on those bookings.

Bail was set at First Appearance for defendant Hayes in the amount of \$3,000. Based upon the large quantity of narcotics involved and the nature of the facts as outlined in the Certification for Determination of Probable of Probable Cause, the State requests that bail be increased to \$10,000.

Amy R. Holt, WSBA #28274

Norm Maleng Prosecuting Attorney W 554 King County Courthouse Seattle, Washington 98104-2312 (206) 296-9000

CAUSE NO. U2 C 07413 4SEA



CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE - NARCOTICS

INCIDENT NUMBER
02-368236
UNIT FILE NUMBER

That Police Officer R. Smith #5937 of the Seattle Police Department believes that there is probable cause that Anthony L. Bradley committed the crime(s) of Violation of the Uniformed Controlled Substances Act on August 16, 2002 at 2034 within the City of Seattle, County of King, State of Washington by possessing with intent to deliver/manufacture crack cocaine, a controlled substance.

This belief is predicated on the following facts and circumstances:

The West Precinct Anti-Crime Team (*WACT*) was assigned to serve a narcotics search warrant at **2408** 2nd Ave #108. The warrant was issued by King County Superior Court Judge Michael Fox on 8-15-2002 at 1042, with a 5-day expiration. The warrant described the premise to be searched, as well as a black male identified as "Tone," described as 6'1" 215 pounds, and a black female identified as "Marla," 5'6" and 180 pounds.

At about 2034 the *WACT* made entry into unit #108, and encountered *Bradley* in the kitchen and *Hayes* in the living room. *Bradley* was found to be 5'11" and 190 pounds, fitting the description of "Tone." *Hayes* identified herself as the resident of the premise. Several pieces of dominion and control were located to substantiate *Hayes*' address as 2408 2nd Ave #108.

Officer Z. Dornay recovered 48 grams of suspected flake cocaine (field-test positive) in the kitchen, as well as a total of 46 grams of suspected crack cocaine (field-test positive) in the same location.

33 grams of the total of the 46 grams of suspected crack cocaine was packaged in a plastic baggie, and Officer Dornay saw Bradley throw the baggie to the ground as he entered the kitchen to contact Bradley.

Officer Dornay recovered the remaining 13 grams of the total of 46 grams of suspected crack cocaine in the kitchen sink, packaged in plastic.

Officer Dornay also recovered two scales of weight and measure, and two pieces of glassware coated with suspected *cocaine* residue (field-test positive) in the kitchen.

Officer Dornay recovered \$101.00 in U.S. currency from the kitchen sink.

Officer Long recovered \$600.00 in U.S. currency from Bradley's left sock.

I found a piece of glassware on a living room table containing .5 grams of suspected crack cocaine. I also recovered several pieces of mail inside the premise belonging to Bradley, but listing a Kent, WA address.

Officer Setterberg recovered .7 grams of suspected crack cocaine (field-test positive) from Hayes, and \$38.00 in U.S. currency.

The arrests took place in **SODA Zone #1** and within a **Drug Free Zone** (Route #599 1st Ave and Wall St).

ORIGINAL

	PLEA AGREEMEN	\	
Date of Crime: 8016.02		Date: 8/2clor	-
Defendant: Bradley, Anthony	Cause No: 🗸	51-C-07413-4	SEAKNT
The State of Washington and the defendant enter into agreement may be withdrawn at any time prior to	entry of the guilty plea	. The PLEA AGREEMENT is as	follows:
On Plea To: As charged in Count(s)	I	of the original amer	nded information.
☐ With Special Finding(s): ☐ deadly weapon - fire 9.94A.310(4); ☐ sexual motivation, RCW 9.94A.12	D protected zone, Re	CW 69.50.435; 🗖 domestic violer	ice. 🗋 other
1. DISMISS: Upon disposition of Count(s)the State moves to dismiss Count(s):			
2. BREAL FACTS OF HIGHER/MORE SERIO 9.94A.370, the parties have stipulated that the court, i Bas set forth in the certification(s) of proba a set forth in	n sentencing, may consi	der as real and material facts infor	with RCW mation as follows:
3. ☐ RESTITUTION: Pursuant to RCW 9.94A.142 ☐ in full to the victim(s) on charged counts. ☐ as set forth in	, the defendant agrees to	pay restitution as follows:	
4 SOTHER: Acques 800	- Relia	Joseph Le Le	Ac
Servera 87	ronths concur	718-8 SEA (pcs	
	02-6-04	74-8 SEA (pc	- E-Ramos
SENTENCE RECOMMENDATION: a. Ly The defendant agrees to the foregoing Plea Agr (Appendix A) and the attached Prosecutor's Unders complete and that the defendant was represented by makes the sentencing recommendation set forth in the	standing of Defendant's of counsel or waived counted the State's sentence reco	Criminal History (Appendix B) are usel at the time of prior conviction commendation.	e accurate and (s). The State
b. The defendant disputes the Prosecutor's Statem with regard to a sentencing recommendation and m	ay make a sentencing re	commendation for the full penalty	allowed by law.
Maximum on Countis not m	nore than 20	years and/or \$ <u>50,0</u>	OO fine.
Maximum on Count is not m	nore than	years and/or \$	fine.
☐ Mandatory Minimum Term(s) pursuant to RCW 9.	94A.120(4) only:		
Andatory weapon sentence enhancement for Couladditional term(s) must be served consecutively to a	nt(s) ny other term and witho	is months early release.	ach. This/these
Mandatory driver's license revocation RCW 46.20.	285; 69.50.420	•	
Mandatory revocation of right to possess a firearm and	d/or ammunition for any	felony conviction. RCW 9.41.04	7.
The State's recommendation will increase in severity in the state of t	f additional criminal con sentencing or violates th	nvictions are found or if the defend the conditions of his release.	lant commits any
Ontry Brail	$_{\perp}$	~)(3	
Defendant (I Min) (1)		Deputy Prosecuting Attor	ney
Attorney for Defendant	-	Judge, King County Superior	Court (FIFE)

GENERAL SCORING FORM Drug Offenses

Use this form only for the following offenses: Controlled Substance Hornicide; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule I or II Narcotic; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule II-V Narcotic or Schedule I-V Nonnarcotic; Deliver or Possess with Intent to Deliver Methamphetamine; Delivery of a Material in Lieu of a Controlled Substance; Involving a Minor in Drug Dealing; Manufacture, Deliver, or Possess with Intent to Deliver Amphetamine; Manufacture, Deliver, or Possess with Intent to Deliver or Possess with Intent to Deliver Marijuana; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule I-II (except Heroin or Cocaine), or Flunitrazepam from Schedule IV; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule III (except Heroin or Cocaine), or Flunitrazepam from Schedule IV; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule III (except Heroin or Cocaine), or Flunitrazepam from Schedule IV; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule III-V or Nonnarcotic, except Manufacture of Methamphetamine; Over 18 and Deliver Heroin, Methamphetamine, a Narcotics from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18; Over 18 and Deliver Narcotics from Schedule II-V or a Nonnarcotic, except Flunitrazepam, or Methamphetamine from Schedule I-V to Someone under 18 and 3 years Junior, Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to manufacture Methamphetamine; Selling for Profit (Controlled or Counterfeit) any Controlled Substance.

OFFENDER'S NAME Bradley, Anthony L	OFFENDER'S DOB 09/16/1974	STATE ID# 14830884
JUDGE	CAUSE# 02C074134SEA	FBI ID# 57122TA8

DOC# 707050

In the case of multiple prior convictions for offenses committed before July 1, 1986, for purposes of computing the offender score, count all adult convictions served concurrently as one offense and juvenile convictions entered on the same date as one offense (RCW 9.94A.360).

ADULT HISTORY Enter number of felony drug convictions* (as defined by RCW 9.9 Enter number of other felony convictions		
JUVENILE HISTORY Enter number of felony drug dispositions** (as defined by RCW 9 Enter number of other serious violent and violent felony disposition Enter number of other felony dispositions	ons	$\begin{array}{c} x \ 2 = \\ \hline x \ 1 = \\ \hline \hline S \ x \cdot 1/2 = 2 \end{array}$
OTHER CURRENT OFFENSES: (Those offenses not encompassing the Enter number of other felony drug convictions* (as defined by RC Enter number of other felony convicitions	CW 9.94A.030 (16))	x 3 =
Total the last column to get the Offender Score (Round down to the nearest whole number)		[4]
STANDARD RA	ANGE CALCULATION*	
VUCSA: PWI - Cocaine	VIÑ 9	8) To [(6
CURRENT OFFENSE BEING SCORED	SERIOUSNESS OFFENDER LEVEL SCORE S	LOW HIGH TANDARD SENTENCE RANGE

^{*} If the court orders a deadly weapons enhancement, use the applicable enhancement sheets on pages 111-14 or 111-15 to calculate the enhanced sentence.

^{*} Add additional time to the standard range for some drug offenses committed in a correctional facility or in a protected zone. See the individual offense reference sheets for specifics.

^{*} If Drug Offender Sentencing Alternative (DOSA) eligible: see DOSA form for alternative sentence on page III-18.

^{**} The Supreme Court clainfied that solicitations to commit violations of the Uniform Controlled Substances Act (RCW 89.50) are not "drug offenses" and are not subject to the multiple "scoring" requirements for drug offenses, under RCW 9.94A.360, or to the community placement requirement for drug offenses, under RCW 9.94A.120(9)(a). See In re Hopkins. 137 Wn. 2d 897 (1999).

APPENDIX B TO PLEA AGREEMENT PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY (SENTENCING REFORM ACT)

Defendant: ANTHONY L BRADLEY

FBI No.: 57122TA8

State ID No.: WA14830884

DOC No.: 707050

This criminal history compiled on: August 22, 2002

Adult Felonies	
Offense	Score Disposition
97-1-05739-2 04/23/1997	WA King Superior Court - Guilty 12/19/1997 serve 77m do
vucsa - pwi cocaine	conc w/97-1-00617-8sea.
97-1-00617-8 10/07/1994	WA King Superior Court - Guilty 09/05/1997 16m doc. 03
vucsa - possess cocaine	02 ord mod sent. 14d jail.
94-1-07524-8 06/30/1994	WA King Superior Court - Guilty 03/17/1995 p/guilty. serv
vucsa - possess cocaine	13m doc. pay ke drug fund \$100.00. pay state crime lab fee
	\$100.00. pay costs. pay cv/pen asst \$100.00.
93-1-04407-7 08/14/1993	WA King Superior Court - Guilty 11/19/1993 p/guilty. serv
attmpt to elude pursuing poli	kc jail conc w/93-1-04345-3. 12m comm supv. pay costs. pa
	cv/pen asst \$100.00.
93-1-04345-3 03/10/1993	WA King Superior Court - Guilty 11/19/1993 p/guilty. serv
vucsa - possess cocaine	kc jail conc w/93-1-04407-7. 12m comm supv. pay kc drug
	\$200.00. pay cv/pen asst \$100.00.
93-1-01608-1 03/02/1993	WA King Superior Court - Guilty 04/27/1993 p/guilty. serve
vucsa - pwi cocaine	kc jail. 12m comm supv. pay costs. pay cv/pen asst \$100. (
	10 93 ord mod sent. serve 7d kc jail.
	-
Adult Misdemeanors Offense	Score Disposition
01-1-10608-9 11/09/2001	WA King Superior Court - Guilty 05/31/2002 sntcd 12m jai
	suspd. serve 4m jail. 12m prob.
attempted vucsa	WA Seattle Municipal Court - Guilty
212422 CD 06/26/1007	
312432 SP 06/26/1997	TA Scattle Walnerpar Court - Gunty
obstruction	
obstruction 297799 SP 12/05/1996	WA Scattle Municipal Court - Guilty WA Scattle Municipal Court - Guilty
obstruction 297799 SP 12/05/1996 susp.ol.2nd	WA Scattle Municipal Court - Guilty
obstruction 297799 SP 12/05/1996 susp.ol.2nd 297728 SP 12/03/1996	
obstruction 297799 SP 12/05/1996 susp.ol.2nd 297728 SP 12/03/1996 susp.ol 1st	WA Scattle Municipal Court - Guilty WA Scattle Municipal Court - Guilty
obstruction 297799 SP 12/05/1996 susp.ol.2nd 297728 SP 12/03/1996 susp.ol 1st 263413 SP 01/15/1996	WA Scattle Municipal Court - Guilty
obstruction 297799 SP 12/05/1996 susp.ol.2nd 297728 SP 12/03/1996 susp.ol 1st 263413 SP 01/15/1996 obstruction	WA Scattle Municipal Court - Guilty WA Scattle Municipal Court - Guilty WA Scattle Municipal Court - Guilty
obstruction 297799 SP 12/05/1996 susp.ol.2nd 297728 SP 12/03/1996 susp.ol 1st 263413 SP 01/15/1996 obstruction N00058575 FP 08/26/1994	WA Scattle Municipal Court - Guilty WA Scattle Municipal Court - Guilty
obstruction 297799 SP 12/05/1996 susp.ol.2nd 297728 SP 12/03/1996 susp.ol 1st 263413 SP 01/15/1996 obstruction	WA Scattle Municipal Court - Guilty WA Scattle Municipal Court - Guilty WA Scattle Municipal Court - Guilty

APPENDIX B TO PLEA AGREEMENT PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY (SENTENCING REFORM ACT)

Defendant: ANTHONY L BRADLEY

FBI No.: 57122TA8

State ID No.: WA14830884

DOC No.: 707050

Adult Misdemeanors

Offense		Score Disposition
179685 SP	12/11/1993	WA Seattle Municipal Court - Guilty
susp.ol.2nd	•	
M00009882 FP	12/02/1993	WA Federal Way Div King Co District Ct - Guilty
failure to deliver	leased pro	
7603531 WS	10/19/1993	WA Southwest Div King Co Dist Ct - Guilty
no valid drivers l	license/expi	
178221 SP	10/09/1993	WA Seattle Municipal Court - Guilty
h/r attended		
178221 SP	10/09/1993	WA Seattle Municipal Court - Guilty
neg. driving		
178221 SP	10/09/1993	WA Seattle Municipal Court - Guilty
susp.ol.2nd		
M00006011 KC	09/10/1993	WA Seattle District Court - Guilty
dwls/r - 2nd degr	ree	

Juvenile Felonies

	Offense	Sco	re Disposition
665	918034941	06/08/91	WA King Superior Court - Guilty 07/10/1991 80 weeks
7 (ar)	vucsa - pwi		·
(ii) >	908001794	12/27/89	WA King Superior Court - Guilty 02/15/1990 13 weeks
11.	vucsa - possess		
6.5	898025525	05/13/89	WA King Superior Court - Guilty 07/18/1989 12 months comm
2(11)	898025525 vucsa - delivery	•	sup; 56 hours comm svc; 15 days detention
<(41)	898024405	02/24/89	WA King Superior Court - Guilty 07/18/1989 3 months comm
260	vucsa - possess		sup; 16 hours comm svc; 2 days detention
100	898007551	11/11/88	WA King Superior Court - Guilty 04/17/1989 6 months comm
7 Cir)vucsa - delivery	`	sup; 40 hours comm svc; 10 days dentention

Juvenile Misdemeanors

Offense		Score Disposition
918042952	03/08/91	WA King Superior Court - Guilty 09/10/1991
obstruction		
918024130	02/08/91	WA King Superior Court - Guilty 07/22/1991
vucsa poss mjt	It 40g	.
918024130	02/08/91	WA King Superior Court - Guilty 07/22/1991
criminal trespa	ss 2	

Comments

Page 2

Prepared by:

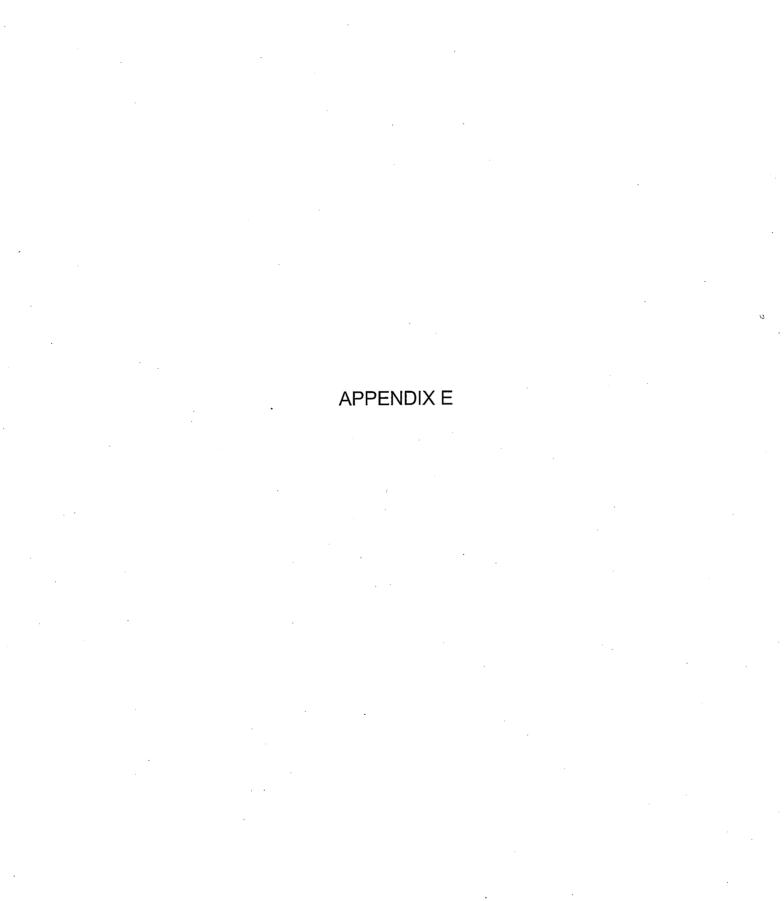
Karen Smith, CCA

Department of Corrections

STATE'S SENTENCE RECOMMENDATION
(NON-SEX OFFENSE ;COMMITTED on or after 7/1/2000; SENTENCE OVER

Date of Crime:	•		ite: F 26(9	
Defendant: Arthri	basica	_ Cause No.: 6	-09413-4	SEA/KNT
State recommends that the defendant	be sentenced to a term o	f total confinement in the Depa	artment of Corrections as	
Count I S7	months	$\sim \sim \sim 0.0$		
Count II	months			
Count III	months	Count VI		months
Terms on each count to run concurrent Terms to be served concurrently/const Terms to be consecutive to any other	ecutively with: OL-	くー6つひし くじゅ		
☐ WEAPONS ENHANCEMENT—enhancement time: months for 6 good time and served consecutive to a months.	Ct months	for Ct. months	for Ct which iclas	a mandatame named with a ce
□ WORK ETHIC CAMP - RCW 9 current offense is not VUCSA or VUC not recommended. If not, why not: _	SA solicitation for crim	es after 7/25/99; no current or	ss than 12 months and 1 or prior violent or sex offen	lay; not more than 36 months; se). Work Ethic Camp <u>is/is</u>
DRUG OFFENDER SENTENCE offenses; 2) no weapon enhancement; Recommendation form instead of this	3) if VUCSA "small qua	ntity" of drugs. 4) not deportal	ole. (If DOSA is recomm	orior violent offenses, sex ended, use DOSA
☐ EXCEPTIONAL SENTENCE: I reasons for departing from the presum	otive sentence range are	set forth on the attached form.	eptional sentence, and the	substantial and compelling
□ NO CONTACT: For the maximum MONETARY PAYMENTS: Defend 10 years pursuant to RCW 9.94A.120(□ Restitution as set forth in	ant make the following relation and RCW 9.94A.14: the "Plea Agreement" proposed of the state of	nonetary payments under the six age and \(\text{Appendix C.} \) age and \(\text{Appendix C.} \) assment, recoupment of cost for \(\text{ISTO 13.43.69} \) absequent VUCSA. \(\text{IP Fit} \) RCW 9.94A.145(2); \(IP EX	appointed counsel.	
COMMUNITY CUSTODY (RCW 9. serve a term of community custody for	94A.120(11): Offenders the applicable period set	sentenced to the custody of the forth below, the period of care	e Department of Correctioned early release, or which	ons for certain offenses shall hever is longer.
☐ Sex Offense	36 – 48 months	☐ Crimes Against Persons	9 – 18 months	Check box for
☐ Serious Violent Offense☐ Violent Offense	24 – 48 months 18 – 36 months	Violation of Ch. 69.50 or	.52 9 – 12 months	largest applicable range
		<u> </u>		lange
Discretionary conditions recommende MANDATORY CONSEQUENCES: associated with needle use. DNA testin Revocation (RCW 46.20.285; RCW 69	HIV blood testing (RCV g (RCW 43.43.754) for	V 70.24.340) for any sex offer any sex offense or violent offe f right to possess a Firearm (nse as defined in RCW 9.	94A.030. Driver's License
ING COUNTY PROSECUTING ATTOR	NEY	•	11/21	

KING COUNTY Revised 7/2000



IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON DIVISION ONE

In the Matter of the Personal Restraint of:) No. 53154-9-I		
ANTHONY L. BRADLEY, Petitioner.	ORDER LIFTING STAYS AND DISMISSING PERSONAL RESTRAINT PETITIONS		
In the Matter of the Personal Restraint of:) No. 52353-8-I		
RODNEY ROMMEL OLIVER,			
Petitioner.	{		

In these two personal restraint petitions, the petitioners have challenged the calculation of their offender scores. The petitioners contend that the trial court improperly included previously "washed out" convictions when determining their criminal histories and offender scores based on the 2002 amendments to RCW 9.94A.525 and RCW 9.94A.030 of the Sentencing Reform Act of 1981 (SRA). Petitioners rely on State v. Smith, 144 Wn.2d 665, 30 P.2d 1245 (2001), and State v. Cruz, 139 Wn.2d 86, 985 P.2d 384 (1999), to support their argument. Consideration of the petitions was stayed pending final resolution of State v. Varga, Wn.2d ____, 86 P.3d 139 (2004). Because the Supreme Court has since decided that case, the stays should now be lifted.

Petitioners contend that sentencing courts cannot be required to include their previously "washed out" prior convictions when calculating offender scores for crimes committed on or after the effective date of the 2002 SRA amendments. They are mistaken.

The Washington Supreme Court recently considered virtually the same argument in <u>Varga</u>. There, the Court held that "[t]he [L]egislature may prospectively amend the SRA to require that courts include previously 'washed out' convictions when calculating offender scores and has done so by the plain language of the 2002 SRA amendments" and that

No. 53154-9-1/2 No. 52353-8-1/2

those amendments do not act retroactively to alter the underlying legal consequences of the previously "washed out" convictions.

Here, as in <u>Varga</u>, the petitioners all committed their crimes after June 13, 2002, the 2002 amendments' effective date. Given the plain language in the 2002 SRA amendments and the unambiguous holding in <u>Varga</u>, petitioners have failed to establish that their offender scores were miscalculated.

Now, therefore, it is hereby

ORDERED that the stays previously imposed are lifted. It is further

ORDERED that the personal restraint petitions listed above are all dismissed under RAP 16.11(b).

Done this

9th day of ______, 20

Acting Chief Judge

2004 MAY 18 AM 10: 59

CERTIFICATION OF SERVICE

Today I deposited in the mails of the United States of America, a properly stamped and addressed envelope directed to Anthony Bradley, at the following address: DOC# 707050, Larch Correction Center, 15314 NE Dole Valley Road, Yacolt, WA 98675, the petitioner, containing a copy of the State's Supplemental Response to Personal Restraint Petition in In re Bradley, No. 60520-8-I, in the Court of Appeals of the State of Washington.

I certify under penalty of perjury of the laws of the state of Washington that the foregoing is true and correct.

Name

Done in Seattle, Washington,

Date

2007 NOV -8 PM 4: 48

STATE OF WASHINGTON



IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON DIVISION I

In re Personal Restraint Petition of	NOV 8 2007
) No. 60520-8-I
ANTHONY BRADLEY, Petitioner.) STATE'S RESPONSE TO) PERSONAL RESTRAINT) PETITION)
	· ·

A. AUTHORITY FOR RESTRAINT OF PETITIONER.

Anthony Bradley is restrained pursuant to judgment and sentence in King County Superior Court No. 02-C-04718-8 SEA and 02-1-07413-4 SEA. Appendix A and C.

B. <u>ISSUES PRESENTED.</u>

Whether this petition should be granted in part and dismissed in part where his judgment and sentence in Cause No. 02-C-04718-8 SEA is incorrect and where the judgment and sentence in Cause No. 02-1-07413-4 SEA is correct.

C. STATEMENT OF THE CASE.

Cause No. 02-C-04718-8 SEA.

Anthony Bradley pled guilty to the crime of possession of cocaine on September 26, 2002. Appendix B. The crime occurred on May 31, 2002. Appendix B. Pursuant to the plea agreement, Bradley agreed to the prosecutor's statement of his criminal history, and that his standard range was 33-43 months based on an offender score of eight. Appendix B. Bradley received a Drug Offender Sentencing Alternative (DOSA) consisting of 19 months of confinement and 19 months of community custody to be served concurrently with Cause No. 02-1-07413-4 SEA. Appendix A. The judgment and sentence was filed with the clerk of the trial court on October 17, 2002. Appendix A. Bradley did not appeal.

Cause No. 02-1-07413-4 SEA.

Bradley pled guilty to the crime of possession of cocaine with intent to deliver on September 26, 2002. Appendix D. The crime occurred on August 16, 2002. Appendix C. Pursuant to the plea agreement, Bradley agreed to the prosecutor's statement of his criminal history, and that his standard range was 87-116 months based on an offender score of nine. Appendix D. Bradley received a Drug Offender Sentencing Alternative (DOSA) consisting of 50.75

months of confinement and 50.75 months of community custody to be served concurrently with Cause No. 02-C-04718-8 SEA.

Appendix A. The judgment and sentence was filed with the clerk of the trial court on October 17, 2002. Appendix A. Bradley did not appeal. A prior personal restraint petition, No. 53154-9-I, challenging the calculation of his offender score was dismissed on May 18, 2004. Appendix E.

D. <u>ARGUMENT.</u>

1. IN CAUSE NO. 02-C-04718-8 SEA BRADLEY WAS SENTENCED WITH AN INCORRECT OFFENDER SCORE AND STANDARD RANGE.

Bradley contends that his sentence is invalid because his offender score was incorrectly calculated. He appears to be correct.

An appellate court will grant substantive review of a personal restraint petition only when the petitioner makes a threshold showing of constitutional error from which he has suffered actual prejudice or nonconstitutional error which constitutes a fundamental defect that inherently resulted in a complete miscarriage of justice. In re Cook, 114 Wn. 2d 802, 813, 792 P.2d 506 (1990). A miscalculated offender score constitutes a fundamental defect that

inherently results in a complete miscarriage of justice. <u>In re Johnson</u>, 131 Wn.2d 558, 933 P.2d 1019 (1997). However, the petitioner bears the burden of showing that his offender score was incorrect. <u>In re Connick</u>, 144 Wn.2d 442, 28 P.3d 729 (2001).

No petition collaterally attacking a judgment and sentence may be filed more than one year after the judgment becomes final, if the judgment and sentence is valid on its face and was rendered by a court of competent jurisdiction. RCW 10.73.090(1); see In re Runyan, 121 Wn.2d 432, 444, 449, 853 P.2d 424 (1993). A judgment becomes final on the date that it is filed with the clerk of the trial court if no appeal is filed. RCW 10.73.090(3).

The judgment in this case became final on October 17, 2002, when it was filed with the clerk of the trial court. Appendix A and C. This petition was filed more than four years later.

However, the one-year time limit only applies if the judgment and sentence is "valid on its face." RCW 10.73.090(1). A judgment is valid on its face unless the judgment evidences an error without further elaboration. In re Thompson, 141 Wn.2d 712, 10 P.3d 380 (2000). Facial invalidity has been interpreted to include those documents signed as part of a plea agreement as well as the judgment and sentence itself. State v. Robinson, 104 Wn. App.

657, 17 P.3d 653 (2001). The documents of the plea can inform the inquiry as to whether the judgment and sentence is invalid on its face. State v. Hemenway, 147 Wn.2d 529, 55 P.3d 615 (2002).

In <u>State v. Smith</u>, 144 Wn.2d 665, 30 P.2d 1245 (2001), the supreme court held that juvenile adjudications that "washed out" prior to the 1997 amendment of RCW 9.94A.360 cannot be revived for purposes of calculating a defendant's offender score. Prior to 1997, juvenile adjudications for offenses not classified as sex offenses or serious violent offenses were not counted if the offender was less than 15 years old at the time the offense was committed. In addition, class B and C felonies that occurred when the defendant was 15 years or older "washed out" when the defendant reached the age of 23. Former RCW 9.94A.360(4).

In 1997, RCW 9.94A.360 was amended to provide that juvenile adjudications are counted in the offender score in the same manner and subject to the same wash-out rules as adult convictions. Nonetheless, the supreme court held that the 1997 amendments did not "revive" previously "washed out" juvenile adjudications. Smith, 144 Wn.2d at 670-71. The court's holding was predicated on its view that neither the 1997 amendment, or an

additional 2000 amendment, were intended to be applied "retroactively." Smith, 144 Wn.2d at 665.

In 2002, the legislature enacted RCW 9.94A.525, which again applied the same "wash-out" principles to both adult conviction and juvenile adjudications. RCW 9.94A.525(2). Howeover, unlike the previous amendments, the supreme court held that the 2002 amendments allow for the inclusion of juvenile offenses in the offender score for crimes committed after June 13, 2002. State v. Varga, 151 Wn.2d 179, 86 P.3d 139 (2004).

Because Bradley's crime occurred on May 31, 2002, the reasoning of <u>Smith</u> applies. Thus, all of Bradley's juvenile offenses "washed out" for purposes of this conviction on his 23rd birthday, on September 16, 1997. Only his prior adult convictions should have been included in his offender score.

The crime of possession of cocaine is not a "drug offense" as defined by RCW 9.94.030(20). As such, RCW 9.94A.525(7) applies and provides that all adult prior felony convictions count one point. Additionally, pursuant to RCW 9.94A.525(1) and RCW 9.94A.589(1)(a) convictions entered or sentenced on the same date are included in the offender score as current offenses. Thus, Bradley's offender score should have been calculated as follows:

Other current offense: 2002 Possession with intent 1 point Prior convictions: 1992 Delivery of Cocaine 1 point 1 point 1993 Possession of Cocaine 1 point 1993 Attempting to Elude 1994 Possession of Cocaine 1 point 1 point 1994 Possession of Cocaine 1 point 1997 Delivery of Cocaine Total points = 7 points

Bradley should have been sentenced with an offender score of seven, rather than eight. He should have been advised that his offender score was 22 to 29 months rather than 33 to 43 months.

2. IN CAUSE NO. 02-1-07413-4 SEA BRADLEY WAS SENTENCED WITH A CORRECT OFFENDER SCORE AND STANDARD RANGE.

Bradley also contends that his offender score in Cause No. 02-1-07413-4 SEA was incorrectly calculated. He is mistaken.

The crime at issue in this cause number was committed on August 16, 2002, after the 2002 amendment to the scoring rules went into effect. Thus, Bradley's juvenile adjudications were properly included in his offender score.

The crime of possession with intent to deliver cocaine is a drug offense as defined by RCW 9.94A.030(20). RCW 9.94A.525(7) governs calculation of Bradley's offender score

because he has no prior convictions for sex or serious violent offenses. RCW 9.94A.525(12). RCW 9.94A.525(7) provides that all adult prior felony convictions count one point, prior juvenile violent adjudications count one point, and prior juvenile non-violent adjudications count one-half point. Thus, Bradley's offender score is as follows:

Other current offense:		
2002 Possession of Cocaine	=	1 point
Prior adult convictions:	**	
1992 Delivery of Cocaine	=	1 point
1993 Possession of Cocaine	· =	1 point
1993 Attempting to Elude	=	1 point
1994 Possession of Cocaine		1 point
1994 Possession of Cocaine	=	1 point
1997 Delivery of Cocaine	=	1 point
100, 2001, 2. 222		1
Prior juvenile adjudications:		
1988 Delivery	=	½ point
1989 Possession	=	½ point
1989 Deliver	=	½ point
1989 Possession	=	½ point
1991 Possession With Intent	=	½ point
10011 CCCCCCION TYNE MECH		, - F
Total poi	nts =	9 ½ points

Rounded down to the nearest whole number as provided by RCW 9.94A.525, Bradley's offender score was properly calculated to be nine, and his standard range was properly calculated to be 87 to 116 months. The judgment and sentence in Cause No. 02-1-

07413-4 SEA is valid on its face, and Bradley's challenge to that judgment should be dismissed as untimely.

It should also be dismissed as successive. RCW 10.73.140 bars the Court of Appeals from considering a collateral attack when the petitioner has previously filed a personal restraint petition unless the petitioner shows good cause why the ground currently asserted was not raised earlier. This statutory bar includes all collateral attacks, including habeas corpus petitions. In re Becker, 143 Wn.2d 491, 496, 20 P.3d 409 (2001). Moreover, RAP 16.4(d) provides, in part, that "[n]o more than one petition for similar relief on behalf of the same petitioner will be entertained without good cause shown." This prohibition applies to both this Court and the supreme court. In In re Haverty. 101 Wn.2d 498, 503, 681 P.2d 835 (1984), the supreme court held that the phrase "similar relief" used in RAP 16.4 means a renewal of "grounds previously heard and determined." Bradley already challenged the calculation of his offender score in a previous personal restraint petition. Appendix E. Consideration of this petition is barred by RCW 10.73.140 and RAP 16.4(d).

3. BRADLEY HAS FAILED TO ESTABLISH THAT WITHDRAWAL OF HIS PLEAS IS NECESSARY TO CORRECT A MANIFEST INJUSTICE.

Bradley contends that due to the error in the offender score in Cause No. 02-C-04718-8 SEA he should be allowed to withdraw his pleas. However, because he was not prejudiced by this error, withdrawal of the pleas should not be allowed.

The constitution requires that a plea of guilty be voluntary.

State v. Barton, 93 Wn.2d 301, 304, 609 P.2d 1353 (1980). CrR

4.2 provides additional safeguards. Barton, 93 Wn.2d at 304. That rule requires that a defendant be informed of all direct consequences of the plea. Id. at 305. A direct consequence of a plea is a consequence that "represents a definite, immediate and largely automatic effect on the range of the defendant's punishment." State v. Mendoza, 157 Wn.2d 582, 588, 141 P.3d 49 (2006) (quoting Barton, 93 Wn.2d at 305).

CrR 4.2(f) provides that courts should allow a defendant to withdraw a guilty plea when withdrawal is necessary to correct a manifest injustice. <u>Barton</u>, 93 Wn.2d at 306. The failure to advise a defendant of the direct consequences of the plea constitutes a manifest injustice. <u>Id</u>. Thus, generally speaking, a defendant may move to withdraw his plea of guilty if he is misadvised as to the

standard range regardless of whether the correct range is higher or lower than anticipated. Mendoza, 157 Wn.2d at 591. However, in the unique circumstances presented here, the standard range as to possession of cocaine was not a direct consequence of Bradley's plea.

The pleas to possession and possession with intent to deliver were entered on the same date and the two cases were sentenced on the same date. The parties agreed that the time served on both cause numbers would be served concurrently, as mandated by RCW 9.94A.589(1). Because Bradley's sentence on the possession charge was to be served concurrently with his sentence on the possession with intent charge, for which the standard range was 87 to 116 months, the difference between a standard range of 22 to 29 months or 33 to 43 months did not have a definite, immediate or automatic effect on the range of Bradley's total punishment: he is serving 87 months total incarceration either way.

This case is analogous to <u>State v. Oseguerra-Acevedo</u>, 137 Wn.2d 179, 970 P.2d 299 (1999). In that case, the defendant was

¹ RCW 9.94A.589(1) provides that sentences for two or more current offenses "shall be served concurrently."

not informed during the plea process that he would be required to serve one year of community placement. Id. at 185. While the supreme court had previously held that community placement was a direct consequence of a plea, a plurality of the court held that in Oseguerra-Acevedo's case, community placement was not a direct consequence of his plea because he was facing deportation immediately upon release. Id. at 198. Justice Johnson concurred in the result, but dissented from the plurality's conclusion that community placement was not a direct consequence because deporation was not a certainty. Id. at 204 (Johnson J., concurring). Justice Alexander dissented, but stated that he would have agreed with the majority if deportation was a "certainty." Id. at 207 (Alexander, J., dissenting). In contrast, in the present case, it was a certainty that Bradley would receive a concurrent sentence of at least 87 months total confinement, or a DOSA consisting of 50.75 months of confinement and 50.75 months of community custody, as to possession of cocaine with intent to deliver. Thus, his much lower standard range on the possession charge was not a consequence with a definite, immediate and automatic effect on Bradley's total punishment. It was not a direct consequence of the plea. The misadvisement as to the standard range in Cause No.

02-C-04718-8 SEA did not render the pleas involuntary. Bradley has failed to establish that withdrawal of the pleas is necessary to correct a manifest injustice.

E. CONCLUSION.

This petition should be granted in part only, and the matter remanded to correct the judgment and sentence in King County Cause No. 02-C-04718-8 so that it reflects the correct offender score, standard range and sentence. As to King County Cause No. 02-1-07413-3 SEA, the petition should be dismissed.

DATED this $\underline{\mathcal{B}\mathcal{B}}$ day of November, 2007.

Respectfully Submitted,

NORM MALENG King County Prosecuting Attorney

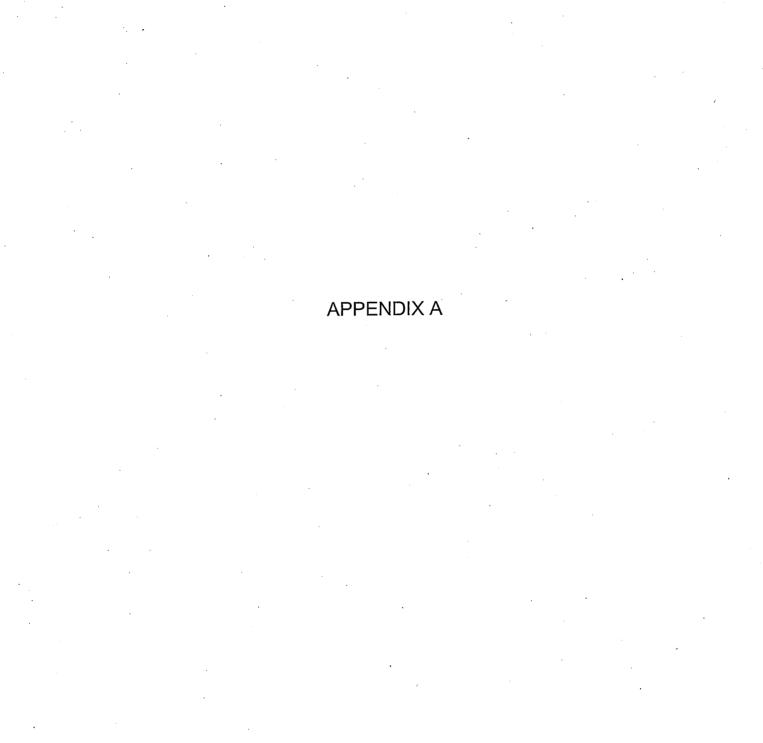
DAN SATTERBERG Interim King County Prosecuting Attorney

ANN SUMMERS, #21509 Senior Deputy Prosecuting

Attorney

Attorneys for Respondent Office ID #91002

W554 King County Courthouse 516 Third Avenue Seattle, WA 98104 (206) 296-9650



CLI LIME

PRESENTENCING STATEMENT : INFORMATION ATTACHED

COMMITMENT ISSUED

STATE OF WASHINGTON,

FILED

.02 OCT 17 AM 10: 00

KING COUNTY SUPERIOR COURT CLERK SEATTLE, WA.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

Plaintiff,) No. 02 (047/885eA
vs. Anthony bradley Defendant,	JUDGMENT AND SENTENCE FELONY
I.1 The defendant, the defendant's lawyer, J. Ch	EARING CONSTAND THE H. CONSTAND THE ARING THE ARING
п. ғ	INDINGS
There being no reason why judgment should not be properly as a count No.: Count No.: Count No.: Count No.: Count No.: Count No.: May 14 2002	and guilty on Sept 26 02 by plea of:
Count No.: Crime: RCW Date of Crime:	Crime Code:
Count No.: Crime: RCW Date of Crime:	Crime Code:
Count No.: Crime: RCW Date of Crime:	Crime Code:
Date of Crime: [] Additional current offenses are attached in Appen	

Rev 07/00 -

1

SPECIAL VE	RDICT or F	INDING(S):		· .		• •
(b) While	armed with	a firearm in cou a deadly weapo	n other than a fir	RCW 9.94A:3	RC	W 9.94A.310(4).
(e) [] Vehic (f) [] Vehic	ular homicio	le []Violent tr de by DUI with	affic offense [DUI [] Reck	RCW 9.94A.127. RCW 6 less []Disregard. ffense(s) defined in 1	, ,
(g) [] Non-] (h) [] Dome	parental kids estic violence nt offenses er	eapping or unla offense as defir	ed in RCW 10.9	9.020 for count(s)	ictim. RCW 9A.44.1	30RCW
					d under different ca	use numbers used
offender score [] Criminal I [] Prior conv [] One point	are (RCW 9. listory is attac ictions count added for off	94A.360): thed in Appended as one offens ense(s) commit	ix B. e in determining	the offender score	for purposes of calculation (RCW 9.94A.360) tent for count(s)	5) are:
2.4 SENTEN Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Count	8	TEVEL	33-43 m.	Ismançement	33-43 mo	550 \$10,00
Count	8		33 12/11		33 73 7	1291/ 11/9/00
Count						
Count						
[] Additiona	current offer	nse sentencing d	ata is attached in	Appendix C.		
[] Substantia	l and compel	SENTENCE: ling reasons exis	st which justify a	sentence above/b ndings of Fact and	elow the standard ra i Conclusions of Lav	nge for w are attached in
Appendix D.	The Blate [, oral jura		· ·	•	
			ш. јирс	MENT		
IT IS ADJUD			of the current off	enses set forth in	Section 2.1 above ar	nd Appendix A.
		•	•			•

IV. ORDER

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

4.1	RESTITUTION AND VICTIM ASSESSMENT: [] Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E. [] Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.142(2), sets forth those circumstances in attached Appendix E. [] Restitution to be determined at future restitution hearing on (Date)atm. [] Date to be set. [] Defendant waives presence at future restitution hearing(s). [] Restitution is not ordered. Defendant shall pay Victim Penalty Assessment pursuant to RCW 7.68.035 in the amount of \$500.
4.2	OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this Court:
	(a) [] \$ Court costs; [] Court costs are waived; (RCW 9.94A.030, 10.01.160)
	(b) [] \$, Recoupment for attorney's fees to King County Public Defense Programs; [] Recoupment is waived (RCW 9.94A.030);
	(c) [] \$, Fine; []\$1,000, Fine for VUCSA; []\$2,000, Fine for subsequent VUCSA; []VUCSA fine waived (RCW 69.50.430);
	(d) [] \$, King County Interlocal Drug Fund; [] Drug Fund payment is waived; (RCW 9.94A.030)
	(e) [] \$, State Crime Laboratory Fee; [] Laboratory fee waived (RCW 43.43.690);
-	(f) [] \$, Incarceration costs; [] Incarceration costs waived (RCW 9.94A.145(2));
•	(g) [] \$, Other costs for:
4.3	PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 500. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: []Not less than \$ per month; [] On a schedule established by the defendant's Community Corrections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090. The Defendant shall remain under the Court's jurisdiction and the supervision of the Department of Corrections for up to ten years from the date of sentence or release from confinement to assure payment of financial obligations.

4.4	The LA ben	e Court finds the defendant eligible pursuant to RCW 9.94A.120(6)(a), as amended by CH 197, 1999 WS, eff. 7-25-99; [recodified RCW 9.94A.660 eff. 7-1-01] that the defendant and the community will refit from use of D.O.S.A.; waives imposition of sentence within the standard range and sentences the rendant as follows:
	(a)	TOTAL CONFINEMENT, RCW 9.94A.120(6)(b): The defendant is sentenced to the following term(s) of commitment in he custody of the DEPT. OF CORRECTIONS to commence [] immediately [] not later thanatP.M.
		months on Count No months on Count No
		months on Count No months on Count No
	(b)	The above term(s) of confinement represent one half of the midpoint of the standard range.
	(c)	The terms imposed herein shall be served concurrently.
		The terms imposed herein shall be served concurrently. The term(s) imposed herein shall run concurrent consecutive with cause No(s) 62 151413458A
		The term(s) imposed herein shall run consecutively to any previously imposed commitment not referred to in this judgment.
	(d)	The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause. RCW 9.94A.120(17). The time shall be compiled by the JAIL unless specifically set by the court as follows:
	` ,	While incarcerated in the Department of Corrections the defendant shall undergo a comprehensive substance abuse assessment and receive, within available resources, appropriate treatment services.
1.5	mid com defe	MMUNITY CUSTODY: The court further imposes months, the remainder(s) of the point(s) of the standard range(s), as a term of community custody during which time the defendant shall uply with the instructions, rules and regulations promulgated by the Department for conduct of the modant during community custody; shall perform affirmative acts necessary to monitor compliance, shall yell laws and comply with the following mandatory statutory requirements:
	(1) (2)	The defendant shall not own, use or possess any firearm or ammunition. RCW 9.94A.120(16). The defendant shall not use illegal controlled substances and shall submit to urinalysis or other testing to monitor compliance. RCW 9.94A.120.(6)(b)(ii), and (iii)
	(3)	The defendant shall complete appropriate substance abuse treatment in a program approved by D.S.H.S., Division of Alcohol and Substance Abuse. RCW 9.94A.120(6)(b)(i)
	The	court further imposes the following non-mandatory conditions of Community Custody (if checked):
	(4)	[X] The defendant shall not use any alcohol or controlled substances without prescription and shall undergo testing to monitor compliance.
	(5) (6)	[] Devote time to a specific employment or training. [] Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment.
	(7) (8) (9)	[X] Report as directed to a community corrections officer. [X] Pay all court ordered legal financial obligations. [] Perform community service work.

	(10) [] Stay out of designated areas as follows:
	(11) [] Other conditions as set forth in Appendix F
4.6	NON-COMPLIANCE RCW 9.94A.120(6)(c)(e): If the defendant fails to complete the Department's special drug offender sentencing alternative program or is administratively terminated from the program, he/she shall be reclassified by the Department to serve the balance of the unexpired term of sentence. If the defendant fails to comply with the conditions of supervision as defined by the Department, he/she shall be sanctioned. Sanctions may include reclassification by the Department to serve the balance of the unexpired term of sentence.
	For offenses committed after 7-1-2000 the court further imposes the following additional terms of Community Custody upon failure to complete or administrative termination from D.O.S.A. program: the entire period of earned early release or for any "crime against person" in section 2.1 herein 9 - 18 months; for any violation of 69.50/52 in section 2.1 herein 9 - 12 months whichever is longer. The defendant in this event shall comply with the conditions of Community Custody set forth in section 4.5 herein.
4.7	[] BLOOD TESTING (Prostitution offense or drug offense associated with the use of hypodermic needles): Appendix G, covering blood testing and counseling, is attached and incorporated by reference into this Judgment and Sentence.
4.8	[] OFF-LIMITS ORDER: The defendant, having been found to be a known drug trafficker, shall neither enter nor remain in the protected against drug trafficking area(s) as described in Appendix I during the term of community supervision. Appendix I is attached and incorporated by reference into this Judgment and Sentence.
4.9	[]NO CONTACT: For the maximum term of years, defendant shall have no contact with
Date	10.16.02 JUDGE Print Name: Rollin-
(Depu	ty Prosecuting Attorney. WSBA# 31600 Approved as to form: Approved as to form: Attorney for Defendant, WSBA# W796 Print Name: SVAF ALSTWY

BEST AVAILABLE IMAGE POSSIBLE



RIGHT HAND FINGERPRINTS OF: DATED:	DEFENDANT'S SIGNATURE: DEFENDANT'S ADDRESS ATTESTED BY: PAUL L. SHERFEY/SEPERIOR COURT CLEEK BY: DEPUTY CLERK
CERTIFICATE	OFFENDER IDENTIFICATION
	S.I.D. NO.
CLERK OF THIS COURT, CERTIFY THAT THE ABOVE IS A TRUE COPY OF THE JUDGMENT AND SENTENCE IN THIS ACTION ON RECORD IN MY OFFICE. DATED:	DATE OF BIRTH: SEX:
	RACE:
CLERK BY: DEPUTY CLERK	

PAGE - FINGERPRINTS 4-25-01

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)
Plaintiff,	No. 026.47/88 SeA
anthing bradleg Defendant.)) JUDGMENT AND SENTENCE) (FELONY) — APPENDIX F,) ADDITIONAL CONDITIONS) OF SENTENCE)
Additional conditions of sentence are:	
Defendant 1	nust follow all mer of
DosA + Yea	
Date: October 16, 2002	Almeth Constack
/	Judge, King County Superior Court
	(rollem.

APPENDIX B

FILED

02 SEP 27 PM 2: 48

KING COUNTY
SUFERIOR COURT CLERK

6	SUPERIOR COURT OF WASHINGTON FOR KING COUNTY
7	STATE OF WASHINGTON, ORIGINAL
8	Plaintiff,) No. 02 C D4718 8 504.
9	Vs.) STATEMENT OF DEFENDANT ON
10	ANTHONY L. GRADLOY , STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) Defendant,)
11	
12	1. My true name is AN DYWY L. BANDLOY.
13	2. My age is Date of Birth
14	3. I went through the 12 grade and 1 your Houterno
15	4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:
16	(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a
17	lawyer, one will be provided at no expense to me. My lawyer's name is Julis A. GAIHOUD.
18	(b) I am charged with the crime(s) of
19	The elements of this crime(s) are INKING CO WH ON 5/31/02 F
20	CONTROLLED 1000 TOUSTAL SUKSMINES.
21	CONTRALLOS 166500 SUCSMINES.
22	FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 1

(Felony) - 2

Maximum Term

and Fine

years

years

years

offense" as defined in that statute, I may be found a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4). The law does not allow any reduction of this sentence.

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions, whether in this state, in federal court, or elsewhere. If my current offense was prior to 7/1/97: criminal history always includes juvenile convictions for sex offenses and also for Class A felonies that were committed when I was 15 years of age or older; may include convictions in Juvenile Court for felonies or serious traffic offenses that were committed when I was 15 years of age or older; and juvenile convictions, except those for sex offenses and Class A felonies, count only if I was less than 23 years old when I committed the crime to which I am now pleading guilty. If my current offense was a after 6/30/97: criminal history includes all prior adult and juvenile convictions or adjudications.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if I was on community placement at the time of the offense to which I am now pleading guilty, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendations may increase. Even so, my plea of guilty to this charge is binding on me. I FORM REV 7/12/00

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 3

cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase.

If the current offense to which I am pleading guilty is a most serious offense as defined by RCW 9.94Å.030(23),(27), and additional criminal history is discovered, not only do the conditions of the prior paragraph apply, but also if my discovered criminal history contains two prior convictions, whether in this state, in federal court, or elsewhere, of most serious offense crimes, I may be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4).

Even so, my plea of guilty to this charge may be binding on me. I cannot change my plea if additional criminal history is discovered, even though it will result in the mandatory sentence that the law does not allow to be reduced.

- (e) In addition to sentencing me to confinement for the standard range, the judge will order me to pay \$500 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damages to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The judge may also order that I pay a fine, court costs, incarceration, lab and attorney fees. Furthermore, the judge may place me on community supervision, community placement or community custody, impose restrictions on my activities, rehabilitative programs, treatment requirements, or other conditions, and order me to perform community service.
 - (f) The prosecuting attorney will make the following recommendation to the judge: ___

43 CONCUMENT	02-c-07413-4 Sea	, Drux Frm,
FORM REV 7/12/00	MANNE GARDON COSTS, FEED, DIFF CAN REG	INCOMERNION WIST DOSA

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 4

2	
3	☐ See attached Plea Agreement and State's Sentence Recommendation.
4	(g) 'The judge does not have to follow anyone's recommendation as to sentence. The judge
5	must impose a sentence within the standard range unless the judge finds substantial and compelling
6	reasons not to do so. If the judge goes outside the standard range, either I or the State can appeal
7	that sentence. If the sentence is within the standard range, no one can appeal the sentence.
8	(h) The crime of has a mandatory minimum sentence
9	of at least years of total confinement. The law does not allow any reduction of this
10	sentence. [If not applicable, this paragraph should be stricken and initialed by the defendant and the
11	judge (AB) (B)
12	The crime of is a most serious offense as defined by
13	RCW 9.94A.030(23), and if the judge determines that I have at least two prior convictions on
14	separate occasions whether in this state, in federal court, or elsewhere, of most serious crimes, I may
15	be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must
16	impose the mandatory sentence of life imprisonment without the possibility of early release of any
17	kind, such as parole or community custody. RCW 9.94A.120(4). [If not applicable, this paragraph
18	should be stricken and initialed by the defendant and the judge (1)
19	The crime of is also a "most serious offense" and a
20	"sex offense" as defined in RCW 9.94A.039(23) and (27), and if the judge determines that I have
21	one prior conviction whether in this state, in federal court or elsewhere of a most serious sex offense
22	as defined in that statute, I may also be found to be a Persistent Offender in which case the judge FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 5

1	must impose a mandatory sentence of life without the possibility of parole. RCW 9.94A.120(4). [If
2	not applicable, this paragraph should be stricken and initialed by the defendant and the judge
3	[But
4	(i) The crime charged in Count includes a firearm/deadly weapon sentence
5	enhancement of months.
6	This additional confinement time is mandatory and must be served consecutively to any
7	other sentence I have already received or will receive in this or any other cause. [If not applicable,
8	this paragraph should be stricken and initialed by the defendant and the judge]
9	(j) The sentences imposed on sounts, except for any weapons enhancement,
10	will run concurrently unless the judge finds substantial and compelling reason to do otherwise or
11.	unless there is a special weapons finding. [If not applicable, this paragraph should be stricken and
12	initialed by the defendant and the judge] By
13	(k) In addition to confinement, the judge will sentence me to a period of community
14	supervision, community placement or community custody.
15	For crimes committed prior to July 1, 2000, the judge will sentence me to: (A) community
16	supervision for a period of up to one year; or (B) to community placement or community custody
17	for a period up to three years or up to the period of earned release awarded pursuant RCW
18	9.94A.150(1) and (2), whichever is longer. [If not applicable, this paragraph should be stricken and
19	initialed by the defendant and the judge Afrill] bt
20	For crimes committed on or after July 1, 2000, the judge will sentence me to the community
21	custody range which is from months to months or up to the period of earned
22	release awarded pursuant to RCW 9.94A.150(1) and (2), whichever is longer, unless the judge finds FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 6

1	substantial and compelling reasons to do otherwise. During the period of community custody I will
2	be under the supervision of the Department of Corrections, and I will have restrictions and
3	requirements placed upon me. My failure to comply with these conditions will result in the
4	Department'of Corrections transferring me to a more restrictive confinement status or imposing
5	other sanctions. [If <u>not</u> applicable, this paragraph should be stricken and initialed by the defendant
6	and the judge]
7	(1) If this offense is a sex offense committed after 6/5/96 and I am either sentenced to the
8	custody of the Department of Corrections or if I am sentenced under the special sexual offender
9	sentence alternative, the court will, in addition to the confinement, impose not less than 3 years of
10	community custody which will commence upon my release from jail or prison. Failure to comply
11	with community custody may result in my return to confinement. In addition, the court may extend
12	the period of community custody in the interest of public safety for a period up to the maximum
13	term which is [If not applicable,
14	this paragraph should be stricken and initialed by the defendant and the judge
15	(m) The judge may sentence me as a first-time offender instead of imposing a sentence
16	within the standard range if I qualify under RCW 9.94A.030. This sentence may include as much as
17	90 days of confinement plus all of the conditions described in paragraph (e). In addition, I may be
18	sentenced up to two years of community supervision if the crime was committed prior to July 1,
19	2000, or two years of community custody if the crime was committed on or after July 1, 2000. The
20	judge also may require me to undergo treatment, to devote time to a specific occupation, and to
21	pursue a prescribed course of study or occupational training. [If not applicable, this paragraph
22	should be stricken and initialed by the defendant and the judge High South FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 7

- (n) This plea of guilty will result in revocation of my privilege to drive under RCW 46.20.285 (1)-(3), (5)-(7). If I have a driver's license, I must now surrender it to the judge. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.
- (o) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.
- (p) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus. [If not applicable', this paragraph should be stricken and initialed by the defendant and the judge _____.]
- (q) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (r) If this crime involves a sex offense or a violent offense, I will be required to provide a sample of my blood for purposes of DNA identification analysis. [If not applicable', this paragraph should be stricken and initialed by the defendant and the judge .]
- (s) Because this crime involves a sex offense, I will be required to register with the sheriff of the county of the state of Washington where I reside. I must register immediately upon being sentenced unless I am in custody, in which case I must register within 24 hours of my release.

If I leave this state following my sentencing or release from custody but later move back to Washington, I must register within 30 days after moving to this state or within 24 hours after doing so if I am under the jurisdiction of this state's Department of Corrections.

FORM REV 7/12/00

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 8

1	11. The judge has asked me to state briefly in my own words what I did that makes me
2	guilty of this (these) crime(s). This is my statement:
3	IN KING CO WYTHINDOW W 5/31/02
4	IN KING CO WARHINDOW W 5/31/02. TE KNOWING IT WAS COCAMED PUSSUSSE
5	AR COCOTA & MAN MANAMANANA I
6	KMEN CERMNE WAS A CONTUIN
7	ILLEVAL SUNSTANCE.
8	
9	
10	
11	
12	
13	
14	12. My lawyer has explained to me, and we have fully discussed, all of the above
15	paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on
16	Plea of Guilty." I have no further questions to ask the judge.
17	Antimus Daniel
18	DEFENDANT
19	I have read and discussed this statement
20	with the defendant and believe that the defendant is competent and fully
	understands the statement.
21	PROSECUTING ATTORNEY DEFENDANT'S LAWYER
22	FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY

(Felony) - 10

1	The foregoing statement was signed by the defendant is defendant's lawyer and the undersigned judge. The defendant's lawyer and the undersigned judge.	
3	[] (a) The defendant had previously read; or [] (b) The defendant's lawyer had previously read to l [] (c) An interpreter had previously read to the defendant	him or her; or dant the entire statement above and that the
4	defendant understood it in full.	
5	I find the defendant's plea of guilty to be knowingly, in defendant understands the charges and the consequence	atelligently and voluntarily made. The es of the plea. There is a factual basis for the
6	plea. The defendant is guilty as charged.	
7	Dated this &6 day of Sept., 2002.	
8		JUDGE PROTEM
9		
10		nd I have translated this entire document for
11	the defendant from English into that language. I certif	y under penalty of perjury under the laws of
12	the State of Washington that the foregoing is true and o	correct.
13	Dated this day of, 20	
	TRANSLATOR	INTERPRETER
14	IRANSLATOR	
15		
16		
17		
18		
19		
20		
21		
22		
	FORM REV 7/12/00	
	STATEMENT OF DEFENDANT ON PLEA OF GUII (Felony) - 11	TY

2	
3	
4	
5	
6	
7	SUPERIOR COURT OF WASHINGTON FOR KING COUNTY
8	STATE OF WASHINGTON,
9	Plaintiff, No.O)_(-OMU-8 Som
	vs.
10	A Cross () AMENDED INFORMATION)
11	Defendant.)
12)
13	I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse Arthury Sancey of the crime of Violation of the
14	Uniform Controlled Substances, committed as follows:
15	That the defendant Action y County, Washington, on or about during a time intervening 5 MeL, did unlawfully and feloniously possess
16	on or about /during a time intervening 5/3/61, did unlawfully and feloniously possess, a controlled substance and a narcotic drug;
17	Contrary to RCW 69.50.401(d), and against the peace and dignity of the State of
18	Washington.
19	NORM MALENG
20	Prosecuting Attorney
21	By:
22	Deputy Prosecuting Attorney
	WSBA #91002 \(\frac{1}{2} \)
23	
	AMENDED INFORMATION - 1 vucsa - Revised 5-7-01 Norm Maleng, Prosecuting Attorney W554 King County Courthouse 516 Third Avenue Seattle, Washington 98 104 (206) 296-9000 FAX (206) 296-0955

· 7

9

10

11

12

13

14

15

16 17

18

20

21

22

24

25

26

27

CAUSE NO. 02-C-04718-8 SEA CAUSE NO. 02-C-04719-6 SEA

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause signed by the Seattle Police regarding incident number 02-208013.

REQUEST FOR BAIL

Initially, the Court set Bradley's bail in the amount of \$5,000. However, the State requests that bail be increased to the amount of \$20,000 based on the nature of the crime charged and the following criminal history: Violation of the Uniform Controlled Substances Act - Delivery (VUCSA) (91-1-01608-1, 97-1-00606-2); VUCSA - Possession (93-1-04345-3, 94-1-07524-8, 97-1-00617-8); Attempted VUCSA (01-1-10608-90); and Attempt to Elude (93-1-04407-7). At the time of filing, Court Services was unable to verify the defendant's residence and employment history. Since 1993, this Court has issued 48 warrants for the defendant.

WILLIAMS

BRADLEY

The State requests that Williams' bail be set in the amount of \$20,000 based on the nature of the crime charged and the following criminal history: VUCSA - Possession (92-1-05837-1, 00-1-10102-0); Forgery and Possessing Stolen Property (96-1-01616-7); Attempted VUCSA (96-1-05367-4); Theft 2° (98-1-06295-5); Theft 3° (1998, 1995, 1993); Prostitution (1995); and False Reporting (1995).

Alison M. Bogar, WSBA #30380

Prosecuting Attorney Case Summary and Request for Bail and/or Conditions of Release - 1 Norm Maleng Prosecuting Attorney W 554 King County Courthouse Seattle, Washington 98104-2312 (206) 296-9000 CAUSE NO.



CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE - NARCOTICS

INCIDENT NUMBER
02-208013

UNIT FILE NUMBER

That Police Officer R. Smith #5937 of the Seattle Police Department believes that there is probable cause that Anthony L. Bradley committed the crime(s) of Violation of the Uniformed Controlled Substances Act on May 14, 2002 at 2144 within the City of Seattle, County of King, State of Washington by possessing with intent to deliver/manufacture crack cocaine, a controlled substance.

This belief is predicated on the following facts and circumstances:

At about 2139, 5-14-2002 the West Precinct Anti-Crime Team (*WACT*) conducted a narcotics "SEE-POP" operation in the Belltown neighborhood. The area of 2nd Ave between Virginia St and Bell St. has been the source of numerous Narcotic Activity Reports (*NARS*), as well as a steady flow of 911 calls reporting rampant street drug activity. I was operating as an observation officer, utilizing 7x50 binoculars to enhance my vision. I have over eight years of police experience with the SPD. I have worked over 85 narcotics "buy-bust" operations while assigned to the *WACT*, as an undercover officer, arrest officer, and observation officer. I am very familiar with the dynamics of a street drug deal.

I saw *Bradley* walking NB in the 2100 block of 2nd Ave, in the company of *Williams*. *Bradley* stopped near "Zoe's" restaurant on the west sidewalk. *Bradley* was contacted by an unidentified black male approximately 50 YOA. I saw *Bradley* take his left hand out of his left outside jacket pocket and hand something to the unidentified black male with his left hand. *Bradley* then received money from the unidentified male in return. The unidentified black male walked away SB on 2nd Ave. *Williams* was standing about five feet to the north during this transaction. *Bradley* and *Williams* met back up and walked away NB on 2nd Ave. This transaction was consistent with what I know a street drug deal to look like.

Bradley and Williams walked NB on 2nd Ave to "Wally's Market." Bradley and Williams ducked into the doorway and made a hand to hand exchange. Both emerged back onto the sidewalk in front of "Wally's Market." I saw Bradley looking at some items in his cupped left hand. Bradley was contacted by an unidentified black male approximately 30 YOA. I saw Bradley hand the unidentified male something from his left hand. The unidentified male handed Bradley money, and walked away SB on 2nd Ave, and then WB on Blanchard St. Williams was standing about five feet north of Bradley during the transaction. This transaction was consistent with what I know a street drug deal to look like.

Bradley and Williams met back up and walked SB on 2nd Ave into the 2100 block. I provided WACT officers with a complete description of Bradley and Williams, and my probable cause to believe Bradley and Williams were working together in concert to sell drugs. WACT officers contacted both Bradley and Williams in the 2100 block of 2nd Ave. As WACT officers approached, Bradley made an abrupt move to his mouth with his right hand, and subsequently chewed and swallowed suspected crack cocaine. Officer Fox recovered small pieces of suspected crack cocaine from Bradley's left outer jacket pocket, which were later field-tested (positive), and \$519.00 in U.S. currency from his person. Officer

ORIGINAL

PAGE 1 OF 2



CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE NARCOTICS

O2-208013
UNIT FILE NUMBER

Setterberg contacted *Williams*, and recovered *19.8 grams* of suspected *crack cocaine* and *\$85.00* in U.S. currency. Officer Setterberg conducted a field-test of a small portion of the suspected *crack cocaine* recovered from *Williams* (positive). *Williams* was also found to be wanted on an outstanding *KCSO Felony Warrant* for *VUCSA*. The arrests took place in *SODA Zone #1* and within a *Drug Free Zone* (Route #208 1st Ave/Blanchard St).

Under penalty of perjury under the laws of the State of Washington, I certify that the for is true and correct to best of my knowledge and belief. Signed and dated by me this	egoing
is true and correct to best of my knowledge and belief. Signed and dated by me this	[+ /
day of, 2002, at Seattle, Washington.	

ORIGINAL

	PLEA AG	REEMENT		•	-11
Date of Crime: 5.14.02			Date:	17-12	E/2010
Defendant: Bradley, How	hony	Cause No: 🕻	1- C-c	94718-1	SEA/KNT
The State of Washington and the defendant ente agreement may be withdrawn at any time pri	er into this PLEA a	AGREEMEN guilty plea.	IT which is ac The PLEA A	cepted only by a g GREEMENT is as	follows:
On Plea To: As charged in Count(s)	I		of the	ginal /// ame	nded information.
☐ With Special Finding(s): ☐ deadly weapor 9.94A.310(4); ☐ sexual motivation, RCW 9.94	IA,127; 🗆 protect	ted zone, RC	W 69.50.435;	eapon other than f	nce, 🗆 other
1. □ DISMISS: Upon disposition of Count(s) the State moves to dismiss Count(s):					
2. SREAL FACTS OF HIGHER/MORE SE 9.94A.370, the parties have stipulated that the c scass set forth in the certification(s) of as set forth in	ourt, in sentencing	, may consid	er as real and	S: In accordance material facts info	with RCW rmation as follows:
3. ☐ RESTITUTION: Pursuant to RCW 9.94. ☐ in full to the victim(s) on charged co ☐ as set forth in	ounts.				/
A. DOTHER: PROCESS	THE ELE	SNPOR	Do IX	termose	<u> </u>
4. DECEMBER: FRANCES 33 months	anwerd	. (57/	. u ^ ~ ~ \	40	
	-0	02	-/-0	7412	
SENTENCE RECOMMENDATION: a. Description of the defendant agrees to the foregoing Place (Appendix A) and the attached Prosecutor's Lagrangian complete and that the defendant was represent makes the sentencing recommendation set for	ea Agreement and Inderstanding of D ted by counsel or	that the attac Defendant's Couns Waived couns	hed sentencin riminal Histor sel at the time	g guidelines scorin y (Appendix B) ar	ng form(s) re accurate and
b. \square The defendant disputes the Prosecutor's swith regard to a sentencing recommendation	and may make a se	entencing rec	ommendation	for the full penalt	y allowed by law.
Maximum on Count is	not more than	8	years	and/or \$ 200	DD fine.
Maximum on Count is	not more than		years	and/or \$	fine.
☐ Mandatory Minimum Term(s) pursuant to R0	CW 9.94A.120(4)	only:	~~		·
☐ Mandatory weapon sentence enhancement for additional term(s) must be served consecutive.	r Count(s) ly to any other term	n and withou	is t any earned e		each. This/these
☐ Mandatory driver's license revocation RCW	46.20.285; 69.50.4	120			
Mandatory revocation of right to possess a firear	rm and/or ammuni	ition for any	felony convict	ion. RCW 9.41.0	47.
The State's recommendation will increase in sev new charged or uncharged crimes, fails to appe	erity if additional ar for sentencing o	criminal convolutes the	victions are fo conditions of	und or if the defenthis release.	dant commits any
Defendant Jul		#	Deputy Albarta	Prosecuting Atto	mey

3/14/02

GENERAL SCORING FORM Drug Offenses

Use this form only for the following offenses: Controlled Substance Homlcide; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule I or II Narcotic; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule II-V Nonnarcotic; Deliver or Possess with Intent to Deliver Methamphetamine; Delivery of a Material in Lieu of a Controlled Substance; Involving a Minor in Drug Dealing; Manufacture, Deliver, or Possess with Intent to Deliver Amphetamine; Manufacture, Deliver, or Possess with Intent to Deliver Heroin or Cocaine; Manufacture, Deliver, or Possess with Intent to Deliver Heroin or Cocaine; Manufacture, Deliver, or Possess with Intent to Deliver Amarijuana; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule I-IV (except Heroin or Cocaine), or Flunitrazepam from Schedule IV; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule III-V or Nonnarcotic from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam;); Maintaining a Dwelling for Controlled Substances; Manufacture of Methamphetamine; Over 18 and Deliver Heroin, Methamphetamine, a Narcotics from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18; Over 18 and Deliver Narcotics from Schedule III-V or a Nonnarcotic, except Flunitrazepam, or Methamphetamine from Schedule I-V to Someone under 18 and 3 years Junior, Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to manufacture Methamphetamine; Selling for Profit (Controlled or Counterfeit) any Controlled Substance.

OFFENDER'S NAME	OFFENDER'S DOB	STATE ID#	
Bradley, Anthony L	09/16/1974	14830884	
JUDGE	CAUSE# 02C047188SEA	FBI ID# 57122TA8	

DOC# 707050

In the case of multiple prior convictions for offenses committed before July 1, 1986, for purposes of computing the offender score, count all adult convictions served concurrently as one offense and juvenile convictions entered on the same date as one offense (RCW 9.94A.360).

• •	efined by RCW 9.94A.030(16))	$\begin{cases} \sum_{x = 1}^{\infty} x = x \\ x = x \end{cases} = \begin{cases} x = x \\ x = x \end{cases}$
	defined by RCW 9.94A.030(16))nt felony dispositions	<u>+</u> x 2 = <u>1</u>
	in terony dispositions.	$\sum_{x = 1/2}^{x} 1 = $
OTHER CURRENT OFFENSES: (Those offenses not e	encompassing the same criminal conduct)	
Enter number of other felony drug convictions	• (as defined by RCW 9.94A.030 (16))	x 3 =
Enter number of other felony convicitions		<u> </u>
STATUS AT TIME OF CURRENT OFFENSES: If on community placement at time of current o	ffense, add 1 point	+ 1 =
Total the last column to get the Offender Score (Round down to the nearest whole number)		R 8
Corr	STANDARD RANGE CALCULATION* 48	33 43
VUCSA: PVVI - Cocaine	WI (TO BY MINNY
CURRENT OFFENSE BEING SCORED	SERIOUSNESS OFFENDER LEVEL SCORE S	LOW HIGH TANDARD SENTENCE RANGE

If the court orders a deadly weapons enhancement, use the applicable enhancement sheets on pages 111-14 or 111-15 to calculate the enhanced sentence.

Add additional time to the standard range for some drug offenses committed in a correctional facility or in a protected zone. See the individual
offense reference sheets for specifics.

If Drug Offender Sentencing Alternative (DOSA) eligible: see DOSA form for alternative sentence on page III-16.

^{**} The Supreme Court clainfied that solicitations to commit violations of the Uniform Controlled Substances Act (RCW 69.50) are not "drug offenses" and are not subject to the multiple "scoring" requirements for drug offenses, under RCW 9.94A.360, or to the community placement requirement for drug offenses, under RCW 9.94A.120(9)(a). See In re-Hopkins. 137 Wn. 2d 897 (1999).

Community Corrections Assistant

5/20/02

APPENDIX B TO PLEA AGREEMENT PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY (SENTENCING REFORM ACT)

	Defendant:	Anthony L	. Bradley	FBI Num:	57122TA8
				StateID Num:	14830884
	None Kn	own. Recon felony conv	nmendation and standard range assumes ictions		
•	Criminal	history not	known and not received at this time		
,			Adult Felonies		
	Саиѕе	. A	gency		
۲-) ـ	931016081		King Superior		
3 (B)	Offense 2/26/93	Sentence 4/9/93	VUCSA: Deliver Cocaine	90 Days	
	931043453	WA	King Superior		
5(0)	Offense 3/10/93	Sentence 11/19/93	VUCSA: Possess Cocaine	5 Months	28 Days
,	931044077	WA 3	King Superior		
5(0)	Offense 8/14/93	Sentence 11/19/93	Attempting to Elude Pursuing Police Vehicle	5 Months	28 Days
	941075248		King Superior		
S(9)	Offense 6/30/94	Sentence 3/17/95	VUCSA: Possess Cocaine	13 Months	
	971006178		King Superior		
5(0)	Offense 10/7/94	Sentence 9/5/97	VUCSA: Possess Cocaine	16 Months	
(15	971057392	WA I	King Superior		
7 (d)	Offense 4/23/97	Sentence 12/19/97	VUCSA: Deliver Cocaine	6 Years 5 l	Months
			Juvenile Felonies		e e e e e e e e e e e e e e e e e e e
	Cause		gency		
	898007551 Offense	WA I	King Superior		•
<i>€</i>		4/17/89	VUCSA: Deliver	10 Days	
	898024405	WA I	King Superior		
(D)	Offense 2/24/89	Sentence 7/18/89	VUCSA: Possess Cocaine	2 Days	
				1	wmith
			Prepared By:	7) (ULL	wanth

King County Prosecuting Attorney/Department of Corrections Criminal History Partnership - 10/13/99

	Defendant:	Anthony L	Bradley	FBI Num: 57122TA8
				StateID Num: 14830884
		own. Recor felony conv	nmendation and standard range as: ictions	sumes
	Criminal	history not	known and not received at this tim	e ·
			Juvenile Felonie	es ·
	Cause	A	gency	
	898025525	WA	King Superior	•
)	Offense 5/13/89	Sentence 7/18/89	VUCSA: Deliver	15 Days
	908001794	WA :	King Superior	
_	Offense 12/27/89	Sentence 2/15/90	VUCSA: Possess Cocaine	13 Weeks
	918034941	WA:	King Superior	
	Offense 6/8/91	Sentence 7/10/91	VUCSA: Possess with Intent	80 Weeks
	_	_	Misdemeanors	2
	Cause		gency	
>	BUDGA 15	Y.C.A.	مرا به و	•
	Offense	Sentence		
	1994 - NVOI 1993 - Susp Driving; Sus Juvenile	OL 2; Sus L; Susp OL OL 3; Failt p OL 2; DV	ire to Delivered Leased Property;	NVOL; Hit and Run Attended; Negligent s 2; Obstruction;
			3. Obstruction:	•

Prepared By:

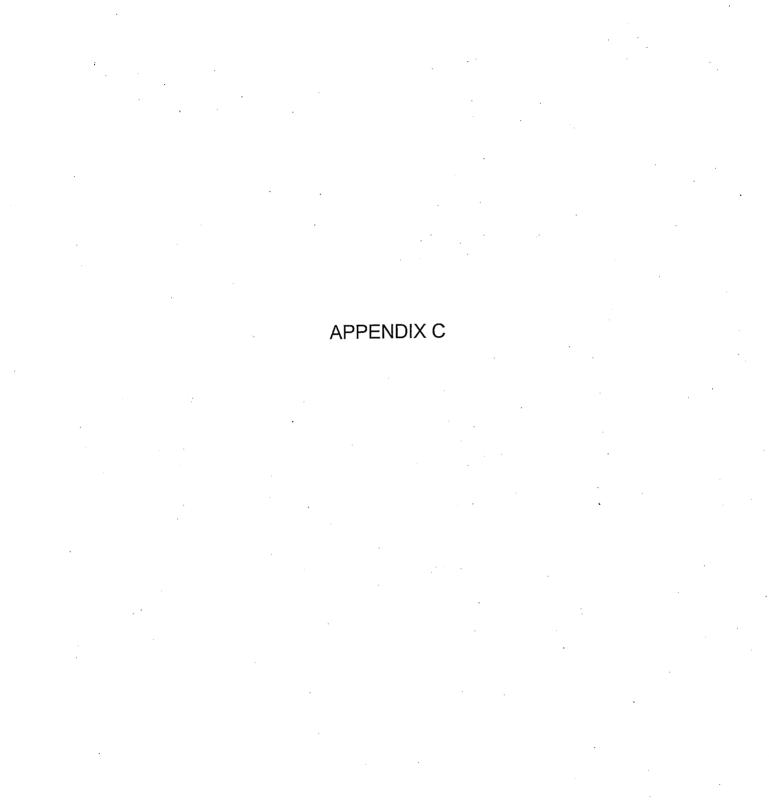
King County Prosecuting Attorney/Department of Corrections Criminal History Partnership - 10/13/99

Community Corrections Assistant

STATE'S SENTENCE RECOMMENDATION
(NON-SEX OFFENSE; COMMITTED on or after 7/1/2000; SENTENCE OVER ONE YEAR)

Date of Crime : 5/14/02		Date:	Thotal	8/12/4
Defendant: A - Ato-7	Spander.	Cause No.: 01-(-0	4718-8	SEAKNT
State recommends that the defendant	be sentenced to a term of t	otal confinement in the Departme	ent of Corrections as f	follows:
Count I	6(33) months	(NUM) Count IV		months
Count II	months	Count V		months
Count III	months	Count VI		months
Terms on each count to run concurrer Terms to be served concurrently/cons Terms to be consecutive to any other	secutively with:	85-(- VIAI)	-4 SEn	-
☐ WEAPONS ENHANCEMENT enhancement time: months for good time and served consecutive to months.	- RCW 9.94A.310: The at Ct, months f any other term of confinem	for Ct months for the total of all recommended.	nfinement i <u>nclude</u> the Ct; which is/ar ed terms of confineme	following weapons re mandatory, served without ent in this cause is:
□ WORK ETHIC CAMP - RCW : current offense is not VUCSA or VU not recommended. If not, why not:	CSA solicitation for crimes	s after 7/25/99; no current or price	han 12 months and 1 or violent or sex offen	day; not more than 36 months, ise). Work Ethic Camp is/is
☐ DRUG OFFENDER SENTENC offenses; 2) no weapon enhancement, Recommendation form instead of this	; 3) if VUCSA "small quan	tity" of drugs, 4) not deportable.	(If DOSA is recomm	prior violent offenses, sex lended, use DOSA
EXCEPTIONAL SENTENCE:	Rew 9.94A.120(2); RGV	V 0.94(a).390. This is an except	ional scritchee, and the	e substantial and compelling
reasons for departing from the presun	aptive sentence range are so	et forth on the attached form.		
□ NO CONTACT: For the maximum	ım term, defendant have no	contact with		
MONETARY PAYMENTS: Defen			rvision of the Departr	nent of Corrections for up to
10 years pursuant to RCW 9.94A.120 Restitution as set forth i	n the "Plea Agreement" pag	ge and 🛘 Appendix C.	* .	
X Court costs; mandatory 5	\$500 Victim Penalty Asses:	sment, recoupment of cost for ap	pointed counsel.	
King County Local Dru	g Fund \$ (Sb-80); [\$100 lab fee RCW 43.43.690.	-C#	•
Devis of incorporation in	K C laif at \$50 per day	bsequent VUCSA.	dition costs of \$	•
Emergency Response C	osts, RCW 38.	.52.430; D Other	111011 00313 01 U	
COMMUNITY CUSTODY (RCW S		* * * *		ions for certain offenses shall
serve a term of community custody for	or the applicable period set	forth below, the period of carned	l early release, or which	chever is longer.
☐ Sex Offense	36 – 48 months	☐ Crimes Against Persons	9 – 18 months	Check box for
☐ Serious Violent Offense		Violation of Ch. 69.50 or .5		largest applicable
☐ Violent Offense	18 36 months			range
Discretionary conditions recommen	ded by the state:			
MANDATORY CONSEQUENCES associated with needle use. DNA test	S: HIV blood testing (RCW ting (RCW 43.43.754) for a	any sex offense or violent offense	e as defined in RCW 9	offense, or drug offense 9.94A.030. Driver's License
Revocation (RCW 46.20.285; RCW	69.50.420). Revocation o	•		
		Approv	ed by:	
·			\sim	•
		Deputy	Prosecuting Attorney	WSBA No.
VINIC COUNTY PROCECUTING ATTO	IRNEY		1132	
KING COUNTY PROSECUTING ATTO	MALI		ノバノ	

KING COUNTY PROSECUTING ATTORNEY Revised 7/2000



VUCSA OVER 21

FILED

02 OCT 17 AM 9: 59

KING COUNTY SUPERIOR COURT CLERK SEATTLE, WA.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

one or me or me curication	
STATE OF WASHINGTON,	
Plaintiff,	No. 02/0741345eA
Vs.	JUDGMENT AND SENTENCE
•	FELONY
anthony bradley	j
Christing	•)
Defendant,	<u> </u>
I.	HEARING CALLA
40	HEARING 1215 A. GATI BROWN
The defendant the defendant's lawver.	and the deputy prosecuting attorney were
present at the sentencing hearing conducted today. Ot	hers present were:
present at the series	
. II.	FINDINGS
There being no reason why judgment should not be pt 2.1 CURRENT OFFENSE(S): The defendant was f Count No.: Crime: VOCS A	ound gainly on experience of fire the
RCW 69.50.40.(4)(1)(1)	
Date of Crime: Quay 16 '02	Incident No. 02-368236
Date of Clinic.	_
Count No.: Crime:	
RCW	Crime Code:
Date of Crime:	Incident No.
Count No.: Crime:	
PCW	Crime Code:
Date of Crime:	Incident No.
• • •	
Count No.: Crime:	Crime Cade:
RCW	Crime Code:
Date of Crime:	
or annual standard in Ann	endir A
[] Additional current offenses are attached in App	

Rev 07/00 -

1

SPECIAL VE	KDICI of F	INDING(S):	•	•	•	
(b) [] While (c) [] With (d) [] A V. (e) [] Vehic (f) [] Vehic RCW (g) [] Non-p	armed with a a sexual motion. C.S.A offerular homicion of the cular homicion of the cula	deadly weapon varion in countries committed le []Violent to de by DUI with). Le pping or unla offense as defined as dealers as defined as de	n other than a fir (s)	one in count(s)]DUI [] Reck conviction(s) for o	RCW 9.94A.127. RCW 6 less []Disregard. ffense(s) defined in ictim. RCW 9A.44.1	
2.2 OTHER in calculating	CURRENT (CONVICTION score are (list of	(S): Other currer Tense and cause	nt convictions listenumber):	d under different ca	use numbers used
offender score	are (RCW 9. listory is attac ictions count added for off	94A.360): thed in Append ed as one offens ense(s) commit	ix B. e in determining ted while under o	the offender score	e (RCW 9.94A.360(5) are:
Sentencing	Offender	Seriousness	Standard	<u> </u>	Total Standard	Maximum Term
Data	Score	Level	Range	Enhancement	Range	
Count	9	VIL	87-116		87-116 m.	2041, \$50,00
Count				<u></u>		ļ
Count		٠.				
Count				<u> </u>	<u> </u>	
[] Additional	current offer	ise sentencing d	ata is attached in	a Appendix C.		
[] Substantia	i and compell		· F1	sentence above/b indings of Fact and a similar sentence.	elow the standard ra I Conclusions of La	inge for w are attached in
		•			•	• •
· · ·			III. JUDG	MENT		
IT IS ADJUD	GED that defe	endant is guilty	of the current of	fenses set forth in	Section 2.1 above at	nd Appendix A.
f line com	1/1/1/11/01/11			•		•
•			•	•		

rv. order

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

4.1	RESTITUTION AND VICTIM ASSESSMENT: [] Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E. [] Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.142(2), sets forth those circumstances in attached Appendix E.
	[] Restitution to be determined at future restitution hearing on (Date)atm.
	Date to be set. Defendant waives presence at future restitution hearing(s).
	1 3 Destination is not ordered
	Defendant shall pay Victim Penalty Assessment pursuant to RCW 7.68.035 in the amount of \$500.
4.2	OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this
	Court: (a) [] \$, Court costs; [] Court costs are waived; (RCW 9.94A.030, 10.01.160)
	(b) [] \$, Recoupment for attorney's fees to King County Public Defense Programs; [] Recoupment is waived (RCW 9.94A.030);
	(c) [] \$, Fine; []\$1,000, Fine for VUCSA; []\$2,000, Fine for subsequent VUCSA; []VUCSA fine waived (RCW 69.50.430);
	(d) [] \$\frac{\psi}{\psi}\$, King County Interlocal Drug Fund; [] Drug Fund payment is waived; (RCW 9.94A.030)
	(e) [] S
-	(f) [] \$, Incarceration costs; [] Incarceration costs waived (RCW 9.94A.145(2));
	(g) [] S, Other costs for:
4.3	PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 500. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: [] Not less than \$ per month; [] On a schedule established by the defendant's Community Corrections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090. The Defendant shall remain under the Court's jurisdiction and the supervision of the Department of Corrections for up to ten years from the date of sentence or release from confinement to assure payment of financial obligations.

4.4	The LA ben	29 EXPANDED SPECIAL DRUG OFFENDER SENTENCING ALTERNATIVE (D.O.S.A.): 2 Court finds the defendant eligible pursuant to RCW 9.94A.120(6)(a), as amended by CH 197, 1999 WS, eff. 7-25-99; [recodified RCW 9.94A.660 eff. 7-1-01] that the defendant and the community will efit from use of D.O.S.A.; waives imposition of sentence within the standard range and sentences the endant as follows:
	(a)	TOTAL CONFINEMENT, RCW 9.94A.120(6)(b): The defendant is sentenced to the following term(s) of commitment in he custody of the DEPT. OF CORRECTIONS to commence [] immediately [] not later thanatP.M.
		50-75 months on Count No months on Count No
		months on Count No months on Count No
		months on Count No months on Count No
	(b)	The above term(s) of confinement represent one half of the midpoint of the standard range.
	(c)	The terms imposed herein shall be served concurrently.
٠		The term(s) imposed herein shall run concurrent/ operating with cause No(s) 52 Co 47188 St
•		The term(s) imposed herein shall run consecutively to any previously imposed commitment not referred to in this judgment.
	(d)	The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause. RCW 9.94A.120(17). The time shall be compiled by the JAIL unless specifically set by the court as follows:
		While incarcerated in the Department of Corrections the defendant shall undergo a comprehensive substance abuse assessment and receive, within available resources, appropriate treatment services.
4.5	mid con	MMUNITY CUSTODY: The court further imposes 50.75 months, the remainder(s) of the lpoint(s) of the standard range(s), as a term of community custody during which time the defendant shall uply with the instructions, rules and regulations promulgated by the Department for conduct of the endant during community custody; shall perform affirmative acts necessary to monitor compliance, shall y all laws and comply with the following mandatory statutory requirements:
. •	(1) (2)	The defendant shall not own, use or possess any firearm or ammunition. RCW 9.94A.120(16). The defendant shall not use illegal controlled substances and shall submit to urinalysis or other testing to
	(3)	monitor compliance. RCW 9.94A.120.(6)(b)(ii), and (iii) The defendant shall complete appropriate substance abuse treatment in a program approved by D.S.H.S., Division of Alcohol and Substance Abuse. RCW 9.94A.120(6)(b)(i)
	The	court further imposes the following non-mandatory conditions of Community Custody (if checked):
	(4)	[X] The defendant shall not use any alcohol or controlled substances without prescription and shall undergo testing to monitor compliance.
	(5) (6)	[] Devote time to a specific employment or training. [] Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment.
	(7) (8) (9)	[X] Report as directed to a community corrections officer. [X] Pay all court ordered legal financial obligations. [] Perform community service work.

	(10) [] Stay out of designated areas as follows:
	(11) Other conditions as set forth in Appendix F
4.6	NON-COMPLIANCE RCW 9.94A.120(6)(c)(e): If the defendant fails to complete the Department's special drug offender sentencing alternative program or is administratively terminated from the program, he/she shall be reclassified by the Department to serve the balance of the unexpired term of sentence. If the defendant fails to comply with the conditions of supervision as defined by the Department, he/she shall be sanctioned. Sanctions may include reclassification by the Department to serve the balance of the unexpired term of sentence.
	For offenses committed after 7-1-2000 the court further imposes the following additional terms of Community Custody upon failure to complete or administrative termination from D.O.S.A. program: the entire period of earned early release or for any "crime against person" in section 2.1 herein 9 - 18 months; for any violation of 69.50/52 in section 2.1 herein 9 - 12 months whichever is longer. The defendant in this event shall comply with the conditions of Community Custody set forth in section 4.5 herein.
4.7	[]BLOOD TESTING (Prostitution offense or drug offense associated with the use of hypodermic needles): Appendix G, covering blood testing and counseling, is attached and incorporated by reference into this Judgment and Sentence.
4.8	[] OFF-LIMITS ORDER: The defendant, having been found to be a known drug trafficker, shall neither enter nor remain in the protected against drug trafficking area(s) as described in Appendix I during the term of community supervision. Appendix I is attached and incorporated by reference into this Judgment and Sentence.
4.9	[]NO CONTACT: For the maximum term ofyears, defendant shall have no contact with
Date	JUDGE Print Name: Krolem
Deki	Approved as to form: Approved as to form: Approved as to form: Attempt of Defendant, WSBA # Zurg
Print	Name: Jen Mille Print Name: 500 & Alle Print

BEST AVAILABLE IMAGE POSSIBLE

RIGHT HAND FINGERPRINTS OF: DATED:	DEFENDANT'S SIGNATURE: DEFENDANT'S ADDRESS (wy Co Common Controller) ATTESTED BY: PAUL L. SHERFEY, SUBERIOR COURT CLERK BY: DEPUTY CLERK
CERTIFICATE	OFFENDER IDENTIFICATION
I,	S.I.D. NO.
THE ABOVE IS A TRUE COPY OF THE JUDGMENT AND SENTENCE IN THIS	DATE OF BIRTH:
ACTION ON RECORD IN MY OFFICE. DATED:	SEX:
DATED.	RACE:
CLERK	

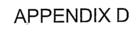
BY: DEPUTY CLERK

PAGE - FINGERPRINTS 4-25-01

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,	
Plaintiff,	NO. 62/07413458A
anthony bradley	JUDGMENT AND SENTENCE (FELONY) — APPENDIX F, ADDITIONAL CONDITIONS OF SENTENCE
Defendant.)).)
Additional conditions of sentence are:	
Defendant m.	it shey wes of DoSA program
- + Wow West	t ment
~	
Datober 16, 2002	A luneth Constoole
Date: October 16, 2002	Judge, King County Superior Court
	rollm.

APPENDIX F



FILED

02 SEP 27 PM 2: 48

KING COUNTY SUPERIOR COURT CLERK SLATTLE, WA.

4

1

2

3

5

6	SUPERIOR COURT OF WASHINGTON FOR KING COUNTY
7	STATE OF WASHINGTON, ORIGINAL
8	Plaintiff,) No. O2-C- UT4/3-4564.
9 10 11	Vs.) STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) Defendant,)
12	1. My true name is ANTHOWY L. BRADLEY.
13 14	2. My age is Date of Birth
15	3. I went through the 12th gradeaud 1 th thomas Communy eer work 4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:
16 17	4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT: (a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me. My lawyer's name is Sour A. Canten.
18 19	(b) I am charged with the crime(s) of PUSSSOW WITH INTEREST OF NOW VOT
20 21	The elements of this crime(s) are /N KNG CO, WA ON 8/16/02 I
22	Emonairo, Marresono, / LICOTOR SUBSTITULEO, KANWING IT. WAS A CONSTRUCTO.
	FORM REV 7/12/00 STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 1

(Felony) - 2

Maximum Term

and Fine

years

years

offense" as defined in that statute, I may be found a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4). The law does not allow any reduction of this sentence.

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions, whether in this state, in federal court, or elsewhere. If my current offense was prior to 7/1/97: criminal history always includes juvenile convictions for sex offenses and also for Class A felonies that were committed when I was 15 years of age or older; may include convictions in Juvenile Court for felonies or serious traffic offenses that were committed when I was 15 years of age or older; and juvenile convictions, except those for sex offenses and Class A felonies, count only if I was less than 23 years old when I committed the crime to which I am now pleading guilty. If my current offense was a after 6/30/97: criminal history includes all prior adult and juvenile convictions or adjudications.
- (c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if I was on community placement at the time of the offense to which I am now pleading guilty, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendations may increase. Even so, my plea of guilty to this charge is binding on me. I FORM REV 7/12/00

STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 3

cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase.

If the current offense to which I am pleading guilty is a most serious offense as defined by RCW 9.94Å.030(23),(27), and additional criminal history is discovered, not only do the conditions of the prior paragraph apply, but also if my discovered criminal history contains two prior convictions, whether in this state, in federal court, or elsewhere, of most serious offense crimes, I may be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must impose the mandatory sentence of life imprisonment without the possibility of early release of any kind, such as parole or community custody. RCW 9.94A.120(4).

Even so, my plea of guilty to this charge may be binding on me. I cannot change my plea if additional criminal history is discovered, even though it will result in the mandatory sentence that the law does not allow to be reduced.

- (e) In addition to sentencing me to confinement for the standard range, the judge will order me to pay \$500 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damages to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The judge may also order that I pay a fine, court costs, incarceration, lab and attorney fees. Furthermore, the judge may place me on community supervision, community placement or community custody, impose restrictions on my activities, rehabilitative programs, treatment requirements, or other conditions, and order me to perform community service.
 - (f) The prosecuting attorney will make the following recommendation to the judge: _

FORM REV 7/12/00 VPA, DING FINISHED & COSTS, LOCAL DING 155, (NCANCAMATION) COSTS, DUFT CAN NUTURE DOSAS STATEMENT OF DEFENDANT ON PLEA OF GUILTY
(Felony) - 4

1	
2	
3	See attached Plea Agreement and State's Sentence Recommendation.
4	(g) The judge does not have to follow anyone's recommendation as to sentence. The judge
5	must impose a sentence within the standard range unless the judge finds substantial and compelling
6	reasons not to do so. If the judge goes outside the standard range, either I or the State can appeal
7	that sentence. If the sentence is within the standard range, no one can appeal the sentence.
8	(h) The crime ofhas a mandatory minimum sentence
9	of at least years of total confinement. The law does not allow any reduction of this
10	sentence. [If not applicable, this paragraph should be stricken and initialed by the defendant and the
11	judge Judge
12	The crime of is a most serious offense as defined by
13	RCW 9.94A.030(23), and if the judge determines that I have at least two prior convictions on
14	separate occasions whether in this state, in federal court, or elsewhere, of most serious crimes, I may
15	be found to be a Persistent Offender. If I am found to be a Persistent Offender, the Court must
16	impose the mandatory sentence of life imprisonment without the possibility of early release of any
17	kind, such as parole or community custody. RCW 9.94A.120(4). [If not applicable, this paragraph
18	should be stricken and initialed by the defendant and the judge 117.] BX
19	The crime of is also a "most serious offense" and a
20	"sex offense" as defined in RCW 9.94A.030(23) and (27), and if the judge determines that I have
21	one prior conviction whether in this state, in federal court or elsewhere of a most serious sex offense
22	as defined in that statute, I may also be found to be a Persistent Offender in which case the judge FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 5

1	must impose a mandatory sentence of life without the possibility of parole. RCW 9.94A.120(4). [If
2	not applicable, this paragraph should be stricken and initialed by the defendant and the judge
3	
4	(i) The crime charged in Count includes a firearm/deadly weapon sentence
5	enhancement of months.
6	This additional confinement time is mandatory and must be served consecutively to any
7	other sentence I have already received or will receive in this or any other cause. [If not applicable,
8	this paragraph should be stricken and initialed by the defendant and the judge
9	(j) The sentences imposed on counts, except for any weapons enhancement,
10	will run concurrently unless the judge finds substantial and compelling reason to do otherwise or
11	unless there is a special weapons finding. [If not applicable, this paragraph should be stricken and
12	initialed by the defendant and the judge
13	(k) In addition to confinement, the judge will sentence me to a period of community
14	supervision, community placement or community custody.
15	For crimes committed prior to July 1, 2000, the judge will sentence me to: (A) community
16	supervision for a period of up to one year, or (B) to community placement or community custody
17	for a period up to three years or up to the period of earned release awarded pursuant RCW
18	9.94A.150(1) and (2), whichever is longer. [If not applicable, this paragraph should be stricken and
19	initialed by the defendant and the judge 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
20	For crimes committed on or after July 1, 2000, the judge will sentence me to the community
21	custody range which is from months to months or up to the period of earned
22	release awarded pursuant to RCW 9.94A.150(1) and (2), whichever is longer, unless the judge finds FORM REV 7/12/00
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 6

1	substantial and compelling reasons to do otherwise. During the period of community custody I will
2	be under the supervision of the Department of Corrections, and I will have restrictions and
3	requirements placed upon me. My failure to comply with these conditions will result in the
4	Department of Corrections transferring me to a more restrictive confinement status or imposing
5	other sanctions. [If not applicable, this paragraph should be stricken and initialed by the defendant
6	and the judge]
7	(1) If this offense is a sex offense committed after 6/5/96 and I am either sentenced to the
8	custody of the Department of Corrections or if I am sentenced under the special sexual offender
9	sentence alternative, the court will, in addition to the confinement, impose not less than 3 years of
0	community custody which will commence upon my release from jail or prison. Failure to comply
1	with community custody may result in my return to confinement. In addition, the court may extend
2	the period of community custody in the interest of public safety for a period up to the maximum
3	term which is [If not applicable,
4	this paragraph should be stricken and initialed by the defendant and the judge .]
5	(m) The judge may sentence me as a first-time offender instead of imposing a sentence
6	within the standard range if I qualify under RCW 9.94A.030. This sentence may include as much as
7	90 days of confinement plus all of the conditions described in paragraph (e). In addition, I may be
8	sentenced up to two years of community supervision if the crime was committed prior to July 1,
9	2000, or two years of community custody if the crime was committed on or after July 1, 2000. The
20	judge also may require me to undergo treatment, to devote time to a specific occupation, and to
21	pursue a prescribed course of study or occupational training. [If not applicable, this paragraph
22	should be stricken and initialed by the defendant and the judge []] FORM REV 7/12/00
•	STATEMENT OF DEFENDANT ON PLEA OF GUILTY (Felony) - 7

1	11. The judge has asked me to state briefly in my own words what I did that makes me
2	guilty of this (these) crime(s). This is my statement:
3	IN KING CO WA ON 8/16/OR IN KING CO WA ON 8
4	I KNUMERCY POSSESSED CUCHNE WITH INTONT TU
5	AND DOLIVER I KNOW COLUMNS
6	The was a commerce the war substance
	V-V-
7	•
8	
9	
10	
11	
12	
13	
14	12. My lawyer has explained to me, and we have fully discussed, all of the above
15	paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on
16	Plea of Guilty." I have no further questions to ask the judge.
17	and home Plad of
18	DEFENDANT
19	I have read and discussed this statement
	with the defendant and believe that the defendant is competent and fully
20	understands the statement.
21	71001 Julio a Missaul
22	PROSECUTING ATTORNEY FORM REV 7/12/00 DEFENDANT'S LAWYER # 20296
	STATEMENT OF DEFENDANT ON PLEA OF GUILTY

(Felony) - 10

1	The foregoing states defendant's lawyer	ment was signe and the undersi	ed by the defend gned judge. Tl	nant in open d he defendant a	asserted that	resence of the check appr	ne opriate box]:
2	[] (a) The defenda	nt had previou	sly read; or	d to him on h		·		•
3	[] (b) The defenda	er had previous	sly read to the c	le to min or no lefendant the	er; or entire staten	ient'above a	nd that the	
4		nderstood it in						•
5	I find the defendant defendant understar	ds the charges	and the conseq	gly, intelligent quences of the	lly and volur plea. There	is a factual	hasis for the	е.
6	plea. The defendan							
7	Dated this _	$\frac{\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{\cancel{-}}\cancel{-$	Tept., 200	2.	· ·			٠
8			•	10.	DOE	a Jan	PRO TEM	٠.
9	I am fluent i	n the	langu	age and I hav	e translated	this entire do	ocument for	
10	the defendant from	English into th	at language. I o	certify under p	enalty of pe	rjury under	the laws of	:
11	the State of Washin	•					:	
12	į		, 20					:
13								:
14	TRANSLATOR			INI ·	TERPRETE!	₹.		;
15								:
16					,	. •		· ;
17					•			
18								
19					· . ·		• :	ŕ
20							•	
21				٠				
22								
	FORM REV 7/12/0			C14 TT4 CT4				
	STATEMENT OF I (Felony) - 11	DEFENDANT	ON PLEA OF	GUILTY	:			:
1		. ::					:	•

1	
2	
3	
4	
5	
6	
7	SUPERIOR COURT OF WASHINGTON FOR KING COUNTY
8	THE STATE OF WASHINGTON,
9	Plaintiff,) No. 02-C-07413-4 SEA) 02-C-07414-2 SEA
10	٧. (سـ)
11	ANTHONY LAMOUNT BRADLEY, and) JOYCE MARIE HAYES) INFORMATION and each of them,)
12	and each of them,
13	Defendants.)
14	
15	I, Norm Maleng, Prosecuting Attorney for King County in the
16	name and by the authority of the State of Washington, do accuse ANTHONY LAMOUNT BRADLEY and JOYCE MARIE HAYES, and each of them, of the crime of Violation of the Uniform Controlled Substances Act,
17	committed as follows:
18	That the defendants ANTHONY LAMOUNT BRADLEY and JOYCE MARIE HAYES, and each of them, in King County, Washington on or about
19	August 16, 2002, unlawfully and feloniously did possess with intent to manufacture or deliver Cocaine, a controlled substance and a
20	narcotic drug, and did know it was a controlled substance;
21	Contrary to RCW 69.50.401(a)(1)(i), and against the peace and dignity of the State of Washington.
22	dignity of the blace of maphingue
23	NORM MALENG Prosecuting Attorney
24	respectating Accorner
25	By:
26	Amy R. Holt, WSBA #28274 Deputy Prosecuting Attorney
27	
	Norm Maleng Prosecuting Attorney
·	W 554 King County Courthouse Seattle, Washington 98104-2312 (206) 296-9000
	INFORMATION- 1

1

11

12

13

15

17

18

19 20

21

22 23

24

24 25

26

27

CAUSE NO. 02-C-07413-4 SEA CAUSE NO. 02-C-07414-2 SEA

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause for Seattle Police Department incident number 02-368236, signed by Officer R. Smith.

REQUEST FOR BAIL

Bail at First Appearance was set for defendant Bradley in the amount of \$25,000. Given Bradley's criminal and warrant history, as well as the fact that this offense occurred while he was released on bail for a pending VUCSA Possession with Intent charge (King County cause number 02-C-04718-8 SEA), the State requests that bail be increased to \$50,000. Defendant Bradley has adult felony convictions for VUCSA Delivery (two convictions, 1993 and VUCSA Possession (three convictions, 1993~1995) juvenile Attempting to Elude (1993). Bradley has convictions for VUCSA Delivery (two convictions, 1988-1989), VUCSA (1991)and VUCSA Possession Possession with Intent Bradley was convicted of Attempted VUCSA convictions, 1989). earlier this year, in April, 2002. Additionally, he has two Obstructing convictions and multiple driving offenses. to Court Services, Bradley has been booked into the King County Jail 33 times since 1993 and has accrued 48 warrants on those bookings.

Bail was set at First Appearance for defendant Hayes in the amount of \$3,000. Based upon the large quantity of narcotics involved and the nature of the facts as outlined in the Certification for Determination of Probable of Probable Cause, the State requests that bail be increased to \$10,000.

Amy R. Holt, WSBA #28274

Prosecuting Attorney Case Summary and Request for Bail and/or Conditions of Release - 1 Norm Maleng Prosecuting Attorney W 554 King County Courthouse Seattle, Washington 98104-2312 (206) 296-9000



CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE - NARCOTICS

INCIDENT NUMBER 02-368236

UNIT FILE NUMBER

That Police Officer R. Smith #5937 of the Seattle Police Department believes that there is probable cause that Anthony L. Bradley committed the crime(s) of Violation of the Uniformed Controlled Substances Act on August 16, 2002 at 2034 within the City of Seattle, County of King, State of Washington by possessing with intent to deliver/manufacture crack cocaine, a controlled substance.

This belief is predicated on the following facts and circumstances:

The West Precinct Anti-Crime Team (*WACT*) was assigned to serve a narcotics search warrant at **2408** 2nd Ave #108. The warrant was issued by King County Superior Court Judge Michael Fox on 8-15-2002 at 1042, with a 5-day expiration. The warrant described the premise to be searched, as well as a black male identified as "Tone," described as 6'1" 215 pounds, and a black female identified as "Marla," 5'6" and 180 pounds.

At about 2034 the *WACT* made entry into unit #108, and encountered *Bradley* in the kitchen and *Hayes* in the living room. *Bradley* was found to be 5'11" and 190 pounds, fitting the description of "Tone." *Hayes* identified herself as the resident of the premise. Several pieces of dominion and control were located to substantiate *Hayes*' address as 2408 2nd Ave #108.

Officer Z. Dornay recovered **48** grams of suspected flake cocaine (field-test positive) in the kitchen, as well as a total of **46** grams of suspected crack cocaine (field-test positive) in the same location.

33 grams of the total of the 46 grams of suspected crack cocaine was packaged in a plastic baggie, and Officer Dornay saw Bradley throw the baggie to the ground as he entered the kitchen to contact Bradley.

Officer Dornay recovered the remaining 13 grams of the total of 46 grams of suspected crack cocaine in the kitchen sink, packaged in plastic.

Officer Dornay also recovered two scales of weight and measure, and two pieces of glassware coated with suspected *cocaine* residue (field-test positive) in the kitchen.

Officer Dornay recovered \$101.00 in U.S. currency from the kitchen sink.

Officer Long recovered \$600.00 in U.S. currency from Bradley's left sock.

I found a piece of glassware on a living room table containing .5 grams of suspected crack cocaine. I also recovered several pieces of mail inside the premise belonging to Bradley, but listing a Kent, WA address.

Officer Setterberg recovered .7 grams of suspected crack cocaine (field-test positive) from Hayes, and \$38.00 in U.S. currency.

The arrests took place in SODA Zone #1 and within a Drug Free Zone (Route #599 1st Ave and Wall St).

PRIGINAL

Date of Crime: 8010.02			
Date of Crime: 0°10°10 c		8/20/02	
Defendant: Bradley, Anthony	Cause No: <u>61 - C</u>	-07413-4	SEAKNT
The State of Washington and the defendant enter into this P greement may be withdrawn at any time prior to entry	of the guilty plea. The PLE	A AGREEMENT is as foll	lows:
On Plea To: As charged in Count(s)	of the	original amended	l information.
☐ With Special Finding(s): ☐ deadly weapon - firearm, I .94A.310(4); ☐ sexual motivation, RCW 9.94A.127; ☐ ;	protected zone, RCW 69.50.	135: 🔲 domestic violence.	m, RCW □ other
. □ DISMISS: Upon disposition of Count(s)			
SEREAL FACTS OF HIGHER/MORE SERIOUS Al 94A.370, the parties have stipulated that the court, in sent as set forth in the certification(s) of probable ca	tencing, may consider as real	and material facts information	1 RCW tion as follows:
 □ RESTITUTION: Pursuant to RCW 9.94A.142, the output □ in full to the victim(s) on charged counts. □ as set forth in 			
SOTHER: ACRES & DONE	- No John		the
Sittles 87 month	the concurrent of	ಲ	
0	2-6-0478-	8 SEA (per	E-Rogers).
EENTENCE RECOMMENDATION: a. Whe defendant agrees to the foregoing Plea Agreeme (Appendix A) and the attached Prosecutor's Understandic complete and that the defendant was represented by cour makes the sentencing recommendation set forth in the St.	ng of Defendant's Criminal F nsel or waived counsel at the rate's sentence recommendati	listory (Appendix B) are actime of prior conviction(s). on.	curate and The State
 b.	of the Defendant's Criminal H	istory, and the State makes ation for the full penalty all	
ALTHI FABRICA OF BATTANIANTO VARANTONIANTO	mrs a sometime 2		lowed by law.
			lowed by law.
Maximum on Count is not more the	han <u>20</u>	years and/or \$ <u>50,00</u>	lowed by law.
Maximum on Count is not more the same of the sa	han <u>20</u> han	years and/or \$ <u>50,00</u>	lowed by law.
Maximum on Count is not more the faximum on Count is not more the faximum on Count is not more the faximum form (s) pursuant to RCW 9.94A.	han <u>20</u> han 120(4) only: is	years and/or \$ 50,000 years and/or \$ months each	O fine.
Maximum on Count	hanhanisisher term and without any ear	years and/or \$ 50,000 years and/or \$ months each	Owed by law. fine.
Maximum on Count is not more the Maximum on Count is not more the Maximum on Count is not more the Mandatory Minimum Term(s) pursuant to RCW 9.94A. Mandatory weapon sentence enhancement for Count(s) additional term(s) must be served consecutively to any of Mandatory driver's license revocation RCW 46.20.285;	hanhanhanisisher term and without any ear 69.50.420	years and/or \$ 50,000 years and/or \$ months each	O fine.
Maximum on Count	hanhanhanhanhanhanhanisher term and without any ear 69.50.420 ammunition for any felony collitional criminal convictions a	years and/or \$ 50,000 years and/or \$ months each ned early release. nviction. RCW 9.41.047.	fine. fine. This/these
Maximum on Count	hanisisisisisisiher term and without any ear 69.50.420 ammunition for any felony colitional criminal convictions a encing or violates the conditional conditional criminal convictions are conditional criminal convictions.	years and/or \$ 50,000 years and/or \$ months each ned early release. nviction. RCW 9.41.047. re found or if the defendance of his release.	fine. fine. This/these
Maximum on Count is not more the Maximum on Count is not more the Maximum on Count is not more the Mandatory Minimum Term(s) pursuant to RCW 9.94A. Mandatory weapon sentence enhancement for Count(s) additional term(s) must be served consecutively to any of the Mandatory driver's license revocation RCW 46.20.285; Mandatory revocation of right to possess a firearm and/or at the State's recommendation will increase in severity if additional countries.	hanisisisisisisiher term and without any ear 69.50.420 ammunition for any felony colitional criminal convictions a encing or violates the conditional conditional criminal convictions are conditional criminal convictions.	years and/or \$ 50,000 years and/or \$ months each ned early release. nviction. RCW 9.41.047.	fine. fine. This/these

KING COUNTY PROSECUTING ATTORNEY Revised 7/2000

GENERAL SCORING FORM Drug Offenses

Use this form only for the following offenses: Controlled Substance Homicide; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule I or il Narcotic; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule I or il Narcotic; Create, Deliver, or Possess a Counterfeit Controlled Substance - Schedule I - V Nonnarcotic; Deliver or Possess with Intent to Deliver Methamphetamine; Counterfeit Controlled Substance; Involving a Minor in Drug Dealing; Manufacture, Deliver, or Possess with Intent to Deliver Deliver of a Material in Lieu of a Controlled Substance; Involving a Minor in Drug Dealing; Manufacture, Deliver, or Possess with Intent to Deliver Amphetamine; Manufacture, Deliver, or Possess with Intent to Deliver Heroin or Cocaine; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule III-V or Nonnarcotic from Schedule IV (except Heroin or Cocaine), or Flunitrazepam from Marijuana; Manufacture, Deliver, or Possess with Intent to Deliver a Narcotic from Schedule III-V or Nonnarcotic from Schedule IV (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam); Maintaining a Dwelling for Controlled Substances; Manufacture of Methamphetamine; Methamphetamine, a Narcotics from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18; Over 18 and Deliver Narcotics from Schedule III-V or a Nonnarcotic, except Flunitrazepam, or Methamphetamine from Schedule IV to Someone under 18 and 3 years Junior; Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to manufacture Methamphetamine; Selling for Profit (Controlled or Counterfeit) any Controlled Substance.

OFFENDER'S NAME	OFFENDER'S DOB	STATE ID#
Bradley, Anthony L	09/16/1974	14830884
JUDGE	CAUSE# 02C074134SEA	FBI ID# 57122TA8

DOC# 707050

In the case of multiple prior convictions for offenses committed before July 1, 1986, for purposes of computing the offender score, count all adult convictions served concurrently as one offense and Juvenile convictions entered on the same date as one offense (RCW 9.94A.360).

94A.030(16))	x 3 = x 1 = 6
9.94A.030(16))	x 1 =`
same criminal conduct) CW 9.94A.030 (16))	
ANGE CALCULATION*	8) TO [[6
	9.94A.030(16))same criminal conduct) CW 9.94A.030 (16))t

^{*} If the court orders a deadly weapons enhancement, use the applicable enhancement sheets on pages 111-14 or 111-15 to calculate the enhanced sentence

^{*} Add additional time to the standard range for some drug offenses committed in a correctional facility or in a protected zone. See the individual offense reference sheets for specifics.

If Drug Offender Sentencing Alternative (DOSA) eligible: see DOSA form for alternative sentence on page III-18.

^{**} The Supreme Court clairfied that solicitations to commit violations of the Uniform Controlled Substances Act (RCW 89.50) are not "drug offenses" and are not subject to the multiple "scoring" requirements for drug offenses, under RCW 9.94A.360, or to the community placement requirement for drug offenses, under RCW 9.94A.120(9)(a). See In re Hopkins. 137 Wn. 2d 897 (1999).

APPENDIX B TO PLEA AGREEMENT PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY (SENTENCING REFORM ACT)

Defendant: ANTHONY L BRADLEY

FBI No.: 57122TA8

State ID No.: WA14830884

DOC No.: 707050

This criminal history compiled on: August 22, 2002

None known Recommendations an	d standard range assumes no prior felony convictions.
Criminal history not known and not	received at this time. WASIS/NCIC last received on 08/22/2002
Cilimai instory not late with the	
	·
Adult Felonies	Score Disposition
Offense 04/23/1997	WA King Superior Court - Guilty 12/19/1997 serve 77m doc
3, 1 03,23 2	conc w/97-1-00617-8sea.
vucsa - pwi cocaine 97-1-00617-8 10/07/1994	WA King Superior Court - Guilty 09/05/1997 16m doc. 03 15
1,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	02 ord mod sent. 14d jail.
vucsa - possess cocaine 94-1-07524-8 06/30/1994	WA King Superior Court - Guilty 03/17/1995 p/guilty. serve
vucsa - possess cocaine	13m doc. pay kc drug fund \$100.00. pay state crime lab fee
vucsa - possess cocame	\$100.00, pay costs, pay cv/pen asst \$100.00.
93-1-04407-7 08/14/1993	WA King Superior Court - Guilty 11/19/1993 p/guilty. serve
attmpt to elude pursuing poli	kc jail conc w/93-1-04345-3. 12m comm supv. pay costs. pay
arenite to erade harsame how	cy/pen asst \$100.00.
93-1-04345-3 03/10/1993	WA King Superior Court - Guilty 11/19/1993 p/guilty. serve
vucsa - possess cocaine	kc jail conc w/93-1-04407-7. 12m comm supv. pay kc drug fu
ruesa - possess vocamo	\$200.00. pay cv/pen asst \$100.00.
93-1-01608-1 03/02/1993	WA King Superior Court - Guilty 04/27/1993 p/guilty. serve
vucsa - pwi cocaine	kc jail. 12m comm supv. pay costs. pay cv/pen asst \$100. 05
p 112 00 0000000000000000000000000000000	10 93 ord mod sent. serve 7d kc jail.
Adult Misdemeanors	Score Disposition
Offense	WA King Superior Court - Guilty 05/31/2002 sntcd 12m jail
01-1-10608-9 11/09/2001	suspd. serve 4m jail. 12m prob.
attempted vucsa 06/26/1997	WA Seattle Municipal Court - Guilty
0 10 10 1 1 1	WA Scalic Municipal Court - Guilty
obstruction 12/05/1996	WA Seattle Municipal Court - Guilty
2555 02	TTA Scalic Manicipal Court - Carry
susp.ol.2nd 297728 SP 12/03/1996	WA Seattle Municipal Court - Guilty
	TITA Scattle Manierpan Court Canaly
susp.ol 1st 263413 SP 01/15/1996	WA Seattle Municipal Court - Guilty
	TIX Scalin Mulliospan County Carry
obstruction 08/26/1994	WA Federal Way Div King Co District Ct - Guilty
1,0000000	Title Califar tray Dir king oo Dibator or ours
no valid drivers license 203794 SP 06/30/1994	WA Seattle Municipal Court - Guilty
	1741 Death Alamanapar South
susp.ol.3rd	

APPENDIX B TO PLEA AGREEMENT PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY (SENTENCING REFORM ACT)

Defendant: ANTHONY L BRADLEY

FBI No.: 57122TA8

State ID No.: WA14830884

DOC No.: 707050

4 3-14	A Attack	meanors
A (1) 11	IVIISHE	E118:31 FR91 S

Offense		Score Disposition
179685 SP	12/11/1993	WA Seattle Municipal Court - Guilty
susp.ol.2nd		
M00009882 FP	12/02/1993	WA Federal Way Div King Co District Ct - Guilty
failure to deliver	leased pro	
7603531 WS	10/19/1993	WA Southwest Div King Co Dist Ct - Guilty
no valid drivers l	icense/expi	
178221 SP	10/09/1993	WA Seattle Municipal Court - Guilty
h/r attended		
178221 SP	10/09/1993	WA Seattle Municipal Court - Guilty
neg. driving		
178221 SP	10/09/1993	WA Seattle Municipal Court - Guilty
susp.ol.2nd		
M00006011 KC	09/10/1993	WA Seattle District Court - Guilty
dwls/r - 2nd degr	ree	

_	**	T 1	•
111776	פונונו	H.O.	onies
			OHICE

Offense	Civilios	Score Disposition
91803494	1 06/08/91	WA King Superior Court - Guilty 07/10/1991 80 weeks
> (CL) vucsa - pr		0 + 0 15/1000 12 wools
90800179		WA King Superior Court - Guilty 02/15/1990 13 weeks
vucsa - po	ossess	0 11 00/10/1000 10
5(11) vuesa - po 89802552 5(11) vuesa - de	5 05/13/89	WA King Superior Court - Guilty 07/18/1989 12 months comm
S(UL) vucsa - de	elivery	sup; 56 hours comm svc; 15 days detention
89802440	5 02/24/89	WA King Superior Court - Guilty 07/18/1989 3 months comm
S(4) 89802440 vucsa - po		sup; 16 hours comm svc; 2 days detention
90900755	1 11/11/88	WA King Superior Court - Guilty 04/17/1989 6 months comm
((L) vucsa - de	- - - liverv	sup; 40 hours comm svc; 10 days dentention

Juvenile Misdemeanors

Offense	dellications	Score Disposition
918042952	03/08/91	WA King Superior Court - Guilty 09/10/1991
obstruction	_	
918024130	02/08/91	WA King Superior Court - Guilty 07/22/1991
vucsa poss mjt	lt 40g	
918024130	02/08/91	WA King Superior Court - Guilty 07/22/1991
criminal trespa	ss 2	

Comments

Page 2

Prepared by:

Karen Smith, CCA

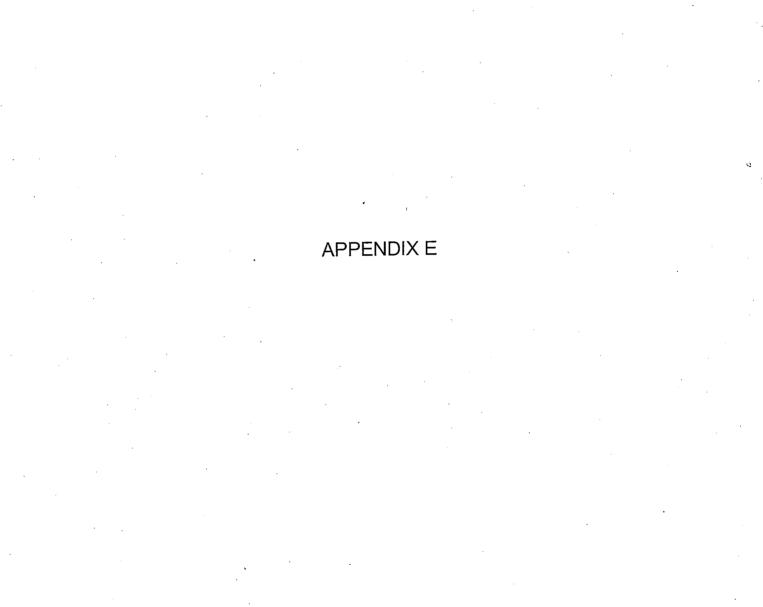
Department of Corrections

STATE'S SENTENCE RECOMMENDATION

OFFENSE; COMMITTED on or after 7/1/2000; SENTENCE OVER ONE YEAR) Date of Crime: Defendant: Anthon Cause No.: NAGLES State recommends that the defendant be sentenced to a term of total confinement in the Department of Corrections as follows: months Count IV Count II Count V _____ months Count III Count VI _____ months Terms on each count to run_concurrently/consecutively with each other. Terms to be served concurrently consecutively with: OL-C-6-018-1 CA Terms to be consecutive to any other term(s) not specifically referred to in this form ☐ WEAPONS ENHANCEMENT - RCW 9.94A.310: The above recommended term(s) of confinement include the following weapons enhancement time: ____months for Ct. ____, ___months for Ct. ____, months for Ct. ____, which is/are mandatory, served without good time and served consecutive to any other term of confinement. The total of all recommended terms of confinement in this cause is: _____ ☐ WORK ETHIC CAMP - RCW 9.94A.137: Defendant is legally eligible (range is not less than 12 months and 1 day; not more than 36 months; current offense is not VUCSA or VUCSA solicitation for crimes after 7/25/99; no current or prior violent or sex offense). Work Ethic Camp is/is not recommended. If not, why not: ☐ DRUG OFFENDER SENTENCE ALTERNATIVE - RCW 9.94A.120(6)(a) Legal Eligibility: 1) no current or prior violent offenses, sex offenses: 2) no weapon enhancement; 3) if VUCSA "small quantity" of drugs, 4) not deportable. (If DOSA is recommended, use DOSA Recommendation form instead of this form.) Defendant is not eligible for DOSA because: ☐ EXCEPTIONAL SENTENCE: RCW 9.94A.120(2); RCW 9.94(a).390. This is an exceptional sentence, and the substantial and compelling reasons for departing from the presumptive sentence range are set forth on the attached form. ☐ NO CONTACT: For the maximum term, defendant have no contact with MONETARY PAYMENTS: Defendant make the following monetary payments under the supervision of the Department of Corrections for up to 10 years pursuant to RCW 9.94A.120(12) and RCW 9.94A.145. ☐ Restitution as set forth in the "Plea Agreement" page and ☐ Appendix C. X Court costs; mandatory \$500 Victim Penalty Assessment, recoupment of cost for appointed counsel. King County Local Drug Fund \$ (3). : I \$100 lab fee RCW 43.43.690. □ \$1,000, fine for VUCSA; ≥\$2,000, fine for subsequent VUCSA. □ Fine of \$ osts of incarceration in K.C. Jail at \$50 per day. RCW 9.94A.145(2);

Extradition costs of \$_ ☐ Emergency Response Costs, ______ RCW 38.52.430; ☐ Other COMMUNITY CUSTODY (RCW 9.94A.120(11): Offenders sentenced to the custody of the Department of Corrections for certain offenses shall serve a term of community custody for the applicable period set forth below, the period of carned early release, or whichever is longer. 36 - 48 months ☐ Crimes Against Persons ☐ Sex Offense 9 - 18 months Violation of Ch. 69.50 or .52 24 - 48 months largest applicable ☐ Serious Violent Offense 9-12 months ☐ Violent Offense 18 -- 36 months Discretionary conditions recommended by the state: MANDATORY CONSEQUENCES: HIV blood testing (RCW 70.24.340) for any sex offense, prostitution related offense, or drug offense associated with needle use. DNA testing (RCW 43.43.754) for any sex offense or violent offense as defined in RCW 9.94A.030. Driver's License Revocation (RCW 46.20.285; RCW 69.50.420). Revocation of right to possess a Firearm (RCW 9.41.040). Approved by: Deputy Prosecuting Attorney WSBA No.

KING COUNTY PROSECUTING ATTORNEY Revised 7/2000



IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON DIVISION ONE

In the Matter of the Personal Restraint of:) No. 53154-9-I		
ANTHONY L. BRADLEY,	Ó ORDER LIFTING STAYS AND DISMISSING PERSONAL RESTRAINT PETITIONS		
Petitioner.	<u> </u>		
In the Matter of the Personal Restraint of:	No. 52353-8-I		
RODNEY ROMMEL OLIVER,	\		
Petitioner.	{		

In these two personal restraint petitions, the petitioners have challenged the calculation of their offender scores. The petitioners contend that the trial court improperly included previously "washed out" convictions when determining their criminal histories and offender scores based on the 2002 amendments to RCW 9.94A.525 and RCW 9.94A.030 of the Sentencing Reform Act of 1981 (SRA). Petitioners rely on State v. Smith, 144 Wn.2d 665, 30 P.2d 1245 (2001), and State v. Cruz, 139 Wn.2d 86, 985 P.2d 384 (1999), to support their argument. Consideration of the petitions was stayed pending final resolution of State v. Varga, ____ Wn.2d ____, 86 P.3d 139 (2004). Because the Supreme Court has since decided that case, the stays should now be lifted.

Petitioners contend that sentencing courts cannot be required to include their previously "washed out" prior convictions when calculating offender scores for crimes committed on or after the effective date of the 2002 SRA amendments. They are mistaken.

The Washington Supreme Court recently considered virtually the same argument in Varga. There, the Court held that "[t]he [L]egislature may prospectively amend the SRA to require that courts include previously 'washed out' convictions when calculating offender scores and has done so by the plain language of the 2002 SRA amendments" and that

No. 53154-9-1/2 No. 52353-8-1/2

those amendments do not act retroactively to alter the underlying legal consequences of the previously "washed out" convictions.

Here, as in <u>Varga</u>, the petitioners all committed their crimes after June 13, 2002, the 2002 amendments' effective date. Given the plain language in the 2002 SRA amendments and the unambiguous holding in <u>Varga</u>, petitioners have failed to establish that their offender scores were miscalculated.

Now, therefore, it is hereby

ORDERED that the stays previously imposed are lifted. It is further

ORDERED that the personal restraint petitions listed above are all dismissed under

RAP 16.11(b).

Done this 19th day of MW

, 2004

Acting Chief Judge

200 MAY 18 AM IO: 59

CERTIFICATION OF SERVICE

Today I deposited in the mails of the United States of America, a properly stamped and addressed envelope directed to Anthony Bradley, at the following address: DOC# 707050, Larch Correction Center, 15314 NE Dole Valley Road, Yacolt, WA 98675, the petitioner, containing a copy of the State's Supplemental Response to Personal Restraint Petition in In re Bradley, No. 60520-8-I, in the Court of Appeals of the State of Washington.

I certify under penalty of perjury of the laws of the state of Washington that the foregoing is true and correct.

Name

Done in Seattle, Washington

Date

COUPTECE DIVISION OF APPEALS

NOV 8 2007